

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

MONDAY, THE 25TH DAY OF MAY 2015/4TH JYAISHTA, 1937

WP(C).No. 36100 of 2003 (V)

PETITIONER:

**SREENI C.J., JUNIOR INSPECTOR
SOCIETY FOR PREVENTION OF CRUELTY
TO ANIMAL, WYNAD**

BY ADV. SRI.T.G.RAJENDRA

RESPONDENTS:

- 1. STATE OF KERALA REP. BY THE SECRETARY
DEPARTMENT OF ANIMAL HUSBANDRY
SECRETARIAT, THIRUVANANTHAPURAM**
- 2. THE DISTRICT COLLECTOR, WYNAD**
- 3. THE DISTRICT ANIMAL HUSBANDRY OFFICER
WYNAD**
- 4. SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS
WYNAD REP. BY ITS HONORARY SECRETARY**
- 5. THE DIRECTOR OF ANIMAL HUSBANDRY, THIRUVANANTHAPURAM**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-05-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS

- EXHIBIT P1: COPY OF THE GOVT. ORDER DATED 08.12.1998**
- EXHIBIT P2: COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN OP 412/99**
- EXHIBIT P3: COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN CCC 769/03**
- EXHIBIT P4: COPY OF THE ORDER OF THE 2ND RESPONDENT DATED 01.07.03**
- EXHIBIT P6: COPY OF THE REPRESENTATION SENT BY THE PETITIONER TO THE
2ND RESPONDENT DATED 25.10.03**

RESPONDENTS' EXHIBITS

// TRUE COPY // P.A. TO JUDGE

SD

ANIL K. NARENDRA, J.

W.P.(C) No.36100 of 2003

Dated this the 25th day of May, 2015

JUDGMENT

The petitioner is working as Junior Inspector in the 4th respondent Society. He was initially appointed as Junior Inspector by an order of the 2nd respondent dated 10.02.1997, on contract basis. By Ext.P1 Government Order dated 08.12.1998, the 2nd respondent was directed to relieve the petitioner forthwith and to take steps to fill up the post of Junior Inspector in accordance with GO (MS)59/Agri dated 23.01.1965. The said order was under challenge before this Court in OP No.412/1999. This Court, by Ext.P2 judgment, declared the selection of the petitioner as regular and held that he will be entitled to all consequential monetary benefits.

2. Alleging non-compliance of Ext.P2 judgment, the petitioner approached this Court in Cont.Case (C). No.769/2003, which was dropped, based on the submission made by the learned Government Pleader that the petitioner had been reinstated in service on 09.07.2003. This Court, in Ext.P3

judgment, made it clear that it would be open to the petitioner to approach the 2nd and 4th respondents for disbursement of consequential monitory benefits.

3. Subsequent to Ext.P3 judgment, the 2nd respondent by Ext.P4, directed the 3rd respondent to reinstate the petitioner in service and to pay the eligible salary and allowances payable to him. According to the petitioner, inspite of Ext.P4, the consequential monitory benefits are not disbursed, including the revised scale of pay sanctioned with effect from 09.03.1997, in terms of Ext.P5 Government Order. In such circumstances, the petitioner has submitted Ext.P6 representation before the 2nd respondent requesting that necessary orders may be passed to sanction salary at the rate shown in Ext.P5 from the date of appointment and also the consequential benefits, without any further delay. The grievance of the petitioner is that Ext.P6 representation is still pending consideration and it was in such circumstances, he has approached this Court in this writ petition seeking various reliefs.

4. On 17.11.2003, this Court admitted the matter on file and issued notice by speed post to the respondents. But the service of notice on the 4th respondent was completed only by

05.05.2015 and thereafter, the matter is listed today for final hearing.

5. I have heard the arguments for the learned counsel for the petitioner and also the learned Government Pleader appearing for the respondents.

Considering the fact that Ext.P6 representation submitted by the petitioner is still pending consideration before the 2nd respondent, I deem it appropriate to dispose of this writ petition directing the 2nd respondent to consider and pass appropriate orders on Ext.P6 representation, as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a certified copy of this judgment, with notice to the petitioner.

The Writ Petition is disposed of as above.

Sd/-
ANIL K. NARENDRA,
JUDGE