

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

WP(C).No. 21753 of 2015 (T)

PETITIONER(S)/PETITIONER:

**K.JITHIN AGED 27 YEARS
S/O.K GOPI, SABANDHI ADIYANTHIRA EMPLOYEE
KOTTAPURAM SIVA TEMPLE, KOTTAPURAM
THRISSUR DISTRICT 680004**

**BY ADVS.SRI.M.PASHOK KUMAR
SMT.BINDU SREEDHAR
SMT.R.S.MANJULA**

RESPONDENT(S)/RESPONDENTS:

- 1. COCHIN DEVASWOM BOARD
DEVASWOM BOARD, THRISSUR, REP BY ITS SECRETARY**
- 2. THE DEVASWOM OFFICER
KOTTAPURAM SIVA TEMPLE, KOTTAPPURAM
THRISSUR DISTRICT 680004**
- 3. ASSISTANT COMMISSIONER
COCHIN DEVASWOM BOARD, THRISSUR 680001**
- 4. AJITH
SSABANDHI ADIYANTHIRA EMPLOYEE ARIYANOOR BHAGAWATHY TEMPLE
THRISSUR 680102**

R BY SRI.KRISHNA MENON, SC, COCHIN DEVASWOM BOARD

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1:- PHOTOCOPY OF THE ORDER OF APPOINTMENT DTD 10/5/2012 ISSUED
BY COCHIN DEVASWOM BOARD
- EXT.P2:- PHOTOCOPY OF THE CERTIFICATE DTD 4/11/2013
- EXT.P3:- PHOTOCOPY OF THE RECOMMENDATION DTD 25/11/2013 ISSUED BY
THE KOTTAPPURAM SIVA TEMPLE, ADVISORY COMMITTEE BEFORE
THE SPECIAL COMMISSIONER, COCHIN DEVASWOM BOARD
- EXT.P4:- PHOTOCOPY OF THE TRANSFER ORDER DTD 10/7/2015 ISSUED BY
THE ASST.COMMISSIONER, DEVASWOM , THRISSUR
- EXT.P5:- PHOTOCOPY OF THE TRANSFER AND POSTING NOTIFICATION DTD
8/2/2001 ISSUED BY COCHIN DEVASWOM BOARD

RESPONDENT(S)' EXHIBITS

NIL

// True copy //

PA to Judge

das

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 21753 of 2015

Dated this the 20th day of July, 2015

JUDGMENT

The petitioner, who is a daily wage employee in the respondent board, is aggrieved by Ext.P4 order transferring the petitioner to the Arikanniyoor temple at Thrissur. In the writ petition, the petitioner alleges that Ext.P4 order was never served on the petitioner and that he came across Ext.P4 order through other sources. The fact remains, however, that the petitioner is a daily wage employee and the petitioner has not been able to establish any right, that would enable the petitioner to continue in the service of the petitioner, before which he can challenge the order of transfer. Faced with the said situation, counsel for the petitioner would pray for a direction to the respondents to consider and pass orders on a representation that the petitioner intends to file within three days from the date of receipt of a copy of this judgment.

Accordingly, and taking note of the submission of counsel for the petitioner, I dispose the writ petition with a direction to the 1st respondent to consider and pass orders on the representation to be filed by the petitioner, within a period of three weeks from the date of receipt of the said representation. The petitioner is directed to

file his representation within three days from the date of receipt of a copy of this judgment. The 1st respondent shall, while passing orders on the representation to be filed by the petitioner, also provide the petitioner with an opportunity of being heard.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

das