

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

WP(C).No. 24392 of 2015 (Y)

PETITIONER(S):

**NANDAKUMAR AGED 31 YEARS
S/O NARAYANARU, THURUVALLOR MADOM, VELLALLOOR POST
IILIMANOR VIA, THIRUVANANTHAPURAM, (MELSANTHI
SARKARA DEVASWOM, THIRUVANANTHAPURAM DISTRICT)**

BY ADV. SRI.J.JAYAKUMAR

RESPONDENT(S):

- 1. THE TRAVANCORE DEVASWOM BOARD
REPRESENTED BY THE SECRETARY
NANDANCODE THIRUVANANTHAPURAM-695001.**
- 2. THE DEVASWIN CINNUSSUIBER
THE TRAVANCORE DEVASWOM BOARD, NANDANCODE
THIRUVANANTHAPURAM-695001.**
- 3. THE ASSISTANT DEVASWOM COMMISSIONER
OFFICE OF THE ASSISTANT DEVASWOM COMMISSIONER
THE TRAVANCORE DEVASWOM BOARD, VARKALA, VARKALA P.O.
THIRUVANANTHAPURAM DISTRICT, PIN:695 152.**
- 4. K.SREENI POTTI
KEEZHSANTHI, POZHEKKARA DEVASWOM, VARKALA GROUP
POZHEKKARA P.O., KOLLAM DISTRICT, PIN:690535.**

R BY SRI.A.N.RAJAN BABU, SC, TRAVANCORE DEVASWOM BOARD

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
11-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1: TRUE COPY OF THE TRANSFER ORDER DATED 4.7.2015 ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT P2: TRUE COPY OF THE ORDER DATED 3.8.2015 OF THE 2ND RESPONDENT.
- EXHIBIT P3: TRUE COPY OF THE APPEAL DATED 6.8.2015 FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.
- EXHIBIT P4: TRUE COPY OF THE STAY PETITION DATED 6.8.2015 FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.
- EXHIBIT P5: TRUE COPY OF THE SUSPENSION ORDER DATED 9.7.2013 ISSUED BY THE 2ND RESPONDENT TO THE 4TH RESPONDENT.
- EXHIBIT P6: TRUE COPY OF THE CIRCULAR DATED 10.2.2005 ISSUED BY THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS

NIL

// True copy //

PA to Judge

das

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 24392 of 2015

Dated this the 11th day of August, 2015

JUDGMENT

The petitioner, who by Ext.P1 order of transfer, was transferred as the Melsanthi, of Sarkara temple, is aggrieved by Ext.P2 order, that was passed by the respondent in an appeal preferred by the 3rd respondent, against an order of transfer, that was served on him. By Ext.P2 order, while dealing with the transfer of the 3rd respondent, it was indicated that on consideration of the application of the 3rd respondent he is appointed as the Melsanthi of Sarkara temple and the petitioner has been appointed as the Keezhsanthi of Pozhikkara Devaswom and transferred accordingly. It is the specific case of the petitioner that, before passing Ext.P2 order, transferring him as the Keezhsanthi of Pozhikkara Devaswom he was not heard, and at any rate, the said order was passed in an appeal preferred by the 3rd respondent, against the order of transfer served on him. It is pointed out that against Ext.P2 order, the petitioner preferred Ext.P3 appeal and Ext.P4 stay petition before the 1st respondent, which is pending consideration. Under the circumstances, the limited prayer of the petitioner now is for a direction to the 1st respondent to consider and pass orders on Ext.P3 appeal, expeditiously after hearing the petitioner.

2. I have heard the learned counsel for the petitioner as also the learned Standing Counsel for the respondents.

On a consideration of the facts and circumstances of the case as also the submissions made across the bar, I dispose the writ petition with a direction to the 1st respondent to consider and pass orders on Ext.P3 appeal, after hearing the petitioner, within a period of three weeks from the date of receipt of a copy of this judgment. I make it clear that, till such time as orders are passed by the 1st respondent as directed and communicated to the petitioner, the operation of Ext.P2 order, insofar as it relates to the petitioner, shall be kept in abeyance. The petitioner shall produce a copy of the writ petition together with a copy of this judgment before the 1st respondent for further action.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE