

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE SUNIL THOMAS

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

WP(C) .No. 27368 of 2014 (U)

PETITIONER(S) :

MALABAR DEVASWOM HEREDITARY TRUSTEES
WELFARE ASSOCIATION,
REPRESENTED BY PRESIDENT P.K. SATHEESH KUMAR RAJA
RESIDING AT KRISHNANJALI, KOZHIKODE.

BY ADV. SRI.M.G.ASHOKAN

RESPONDENT(S) :

1. STATE OF KERALA,
RERPESENTED BY THE SECRETARY,
DEPARTMENT OF DEVASWOM
SECRETARIAT, THIRUVANANTHAPURAM - 695001.
2. THE COMMISSIONER
MALABAR DEVASWOM BOARD, KOZHIKODE.

R2 BY ADV. SRI.K.R.SUNIL, SC, MALABAR DEVASWOM BOARD
R1 BY ADV. P.VIJAYARAGHAVAN, STATE ATTORNEY
R1 BY A.RANJITH, GOVERNMENT PLEADER
R BY SRI.KRISHNAKUMAR.S, SC, MALABAR DEVASWOM BOARD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 08-07-2015, ALONG WITH WP(C) NOS. 10216/15, 19644/15, AND
19766/15, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1 : COPY OF THE BYE LAWS OF THE PETITIONER
ASSOCIATION.

EXHIBIT P2 : COPY OF THE CIRCULAR ISSUED BY THE DEPUTY
COMMISSIONER BEARING NO J 8.7342/2010/MDB DATED 15-10-2010.

EXHIBIT P3 : COPY OF THE MEMORANDUM OF WRIT PETITION IN WPC NO
3728/14 WITHOUT EXHIBITS.

EXHIBIT P4 : COPY OF THE ORDINANCE NO 14/14 DATED 20-07-2014.

EXHIBIT P5 : COPY OF THE PROCEEDINGS OF THE MEETING HELD ON
12-06-2014 IN THE PRESENCE OF DEVASWOM MINISTER.

RESPONDENT(S) ' EXHIBITS

NIL

//TRUE COPY//

PA TO JUDGE.

THOTTATHIL B.RADHAKRISHNAN &
SUNIL THOMAS, JJ.

.....
WP(C) Nos.27368 of 2014,
10216, 19644 and 19766 of 2015,
.....

Dated this the 8th day of July, 2015.

J U D G M E N T

Thottathil B.Radhakrishnan, J.

These writ petitions are filed challenging the validity of the Kerala Devaswom Recruitment Board Ordinance, 2014. It is submitted by the learned State Attorney on behalf of the Government of Kerala that the said Ordinance provides only for selection for such appointments as are to be made by different Devaswom Boards and not by Trustees or Board of Trustees or Managing Trustees of the different temples which fall under the territorial jurisdiction of the Malabar Devaswom Board. It is further pointed out that subsequent Ordinances have been promulgated keeping the present situation available and that Bill is being introduced in the Assembly. We record the aforesaid submissions and direct that no selection shall be made by the Recruitment Board for appointments which are to be made by the Trustees or Board of

Trustees or Managing Trustees of the different temples which fall under the territorial jurisdiction of the Malabar Devaswom Board. These writ petitions are ordered accordingly leaving open all other contentions.

(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

(SUNIL THOMAS, JUDGE)

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