

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

WP(C).No. 28548 of 2015 (P)

PETITIONER(S):

**P.A ISSAC,
P.W.D CONTRACTOR, BHAGAVATHKUZHY HOUSE, NIRANAM POST
THIRUVALLA- 689 630.**

**BY ADVS.SRI.MATHEW JOHN (K)
SRI.DOMSON J.VATTAKUZH**

RESPONDENT(S):

- 1. THE SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT, TRIVANDRUM- 695 001,
REPRESENTED BY ITS SECRETARY.**
- 2. THE CHIEF ENGINEER,
PUBLIC WORKS DEPARTMENT,
OFFICE OF THE CHIEF ENGINEER, PWD BUILDINGS,
TRIVANDRUM- 695 001.**
- 3. DIRECTOR OF ANIMAL HUSBANDRY,
ANIMAL HUSBANDRY DEPARTMENT, TRIVANDRUM- 695 001.**
- 4. THE EXECUTIVE ENGINEER,
P.W.D BUILDINGS DIVISION, PATHANAMTHITTA- 685 533.**

BY SENIOR GOVERNMENT PLEADER SRI.T.P.SAJITH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT P1- A TRUE COPY OF THE GOVERNMENT ORDER NO.M2/28718/2013/ PLG
DATED 30/10/2013.**
- EXT P2- A TRUE COPY OF THE GOVERNMENT ORDER NO.G.O (RT)
NO.713/2014/AD DATED 31/03/20914.**
- EXT P3- A TRUE COPY OF THE GOVERNMENT ORDER NO.M2/28718/2013/PLG
DATED 20/03/2015.**
- EXT P4- A TRUE COPY OF THE LETTER FROM THE EXECUTIVE ENGINEER TO
THE MANAGER, FEDERAL BANK DATED 25/06/2015 ALONG WITH
POWER OF ATTORNEY AND OTHER DOCUMENTS.**
- EXT P5- A TRUE COPY OF THE LETTER TO THE EXECUTIVE ENGINEER BY THE
PETITIONER DTED 1/09/2015 ANIMAL HUSBANDRY DEPARTMENT.**
- EXT P6- A TRUE COPY OF THE SAID JUDGEMENT IN WP(C) NO.21688 OF 2014
DATED 13/10/2014.**
- EXT.P7: A TRUE COPY OF APPLICATION SUBMITTED BY THE PETITIONER
BEFORE THE ADDL.R5 DATED 26/10/15**
- EXT.P8: A TRUE COPY OF THE REPLY DATED 27/10/15 BY THE ADDL.R5 TO THE
PETITIONER.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.28548 of 2015

Dated this the 29th day of October, 2015

JUDGMENT

The petitioner has undertaken a work in relation to 'Niranam Duck Farm, Pathanamthitta'. The petitioner has approached this Court for release of the amount due to him for the work undertaken by him.

2. The petitioner submits that this is an amount deposited by the Agricultural Department and in the light of Ext.P6 judgment, he is entitled for the amount.

3. In this matter, a counter affidavit has been filed fourth respondent. In the counter affidavit, it is stated that the work is not a deposit work and therefore, it will come under the seniority in accordance with the seniority maintained by the Public Works Department.

4. The petitioner refers to Ext.P8. Ext.P8 shows that this is a fund earmarked for the Agricultural Department.

In that view of the matter, this Court is of the view that following the directions in Ext.P6 judgment, the amount shall be released to the petitioner within a period of one month from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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