

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

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

WP(C).No. 31480 of 2013 (H)

PETITIONER(S):

**K.R. ANILKUMAR, ADVOCATE,
'GOWRI', NEAR RAILWAY STATION,
VARKALA.**

**BY SRI.N.DHARMADAN, SENIOR ADVOCATE.
ADV. SMT.D.P.RENU.**

RESPONDENT(S):

**STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LAW(H) DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.**

BY GOVT. PLEADER SMT.C.K. SHERIN.

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 08-07-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- P1 : COPY OF ORDER DATED 25.11.2013 ISSUED BY GOVERNMENT.
- P2 : COPY OF JUDGMENT IN WP(C).NO.20449/2013 DATED 04.09.2013 OF THIS HON'BLE COURT.
- P3 : COPY OF NOTIFICATION DATED 31.01.2007 ALONG WITH LIST OF NOTARY PUBLIC (RELEVANT PORTION).
- P4 : COPY OF ORDER DATED 22.05.2009 OF THE KERALA LOK AYUKTA.
- P5 : COPY OF NOTIFICATION DATED 18.05.2006 ISSUED BY RESPONDENT.
- P6 : COPY OF LETTER DATED 07.04.2007 ISSUED BY RESPONDENT.
- P7 : COPY OF JUDGMENT IN WA NO.1379/2010 DATED 02.02.2012 OF THIS HON'BLE COURT REPORTED IN KERALA HIGH COURT CASES.
- P8 : COPY OF REPRESENTATION DTD.....6.2013 FILED BY PETITIONER.

RESPONDENT'S EXHIBITS:-

- EXT.R1A COPY OF THE LETTER DATED 01/08/2007.

//TRUE COPY//

PA. TO JUDGE

rs.

K. VINOD CHANDRAN, J

W.P(C) No. 31480 of 2013

Dated this the 08th day of July, 2015

J U D G M E N T

In the circumstance of the petitioner contending that Ext.P1 was passed not in compliance with Ext.P2 judgment, this Court is of the opinion that the order is to be set aside. The Government ought to have considered Ext.P7 judgment. The petitioner shall produce a copy of the decision reported in 2012(1) KHC 715 State of Kerala and another v. M. Sajan before the respondent. Ext.P1 shall stand set aside only for reason of non-consideration of the aforesaid judgment. It is made clear that this Court has not observed anything on merits. Consideration shall be made within a period of three months from the date of production of the certified copy of the judgment.

Writ petition is disposed of.

Sd/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge