

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.SURENDRA MOHAN

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

WP(C).No. 36562 of 2007 (C)

PETITIONER :

M.ISMAIL,S/O. UNNIMOYIN HAJI
PRINCIPAL, RAHMANIA VOCATIONAL HIGHER SECONDARY
SCHOOL FOR HANDICAPPED, MEDICAL COLLEGE P.O.
KOZHIKODE 673 008.

BY ADV. SRI.C.P.MOHAMMED NIAS

RESPONDENTS :

1. THE ASSISTANT DIRECTOR OF
VOCATIONAL HIGHER SECONDARY EDUCATION
V.H.S.E. REGIONAL OFFICE, VADAKARA, KOZHIKODE.
2. THE DISTRICT EDUCATIONAL OFFICER
KOZHIKODE.
3. THE SUB TREASURY OFFICER
PUTHIYARA, KOZHIKODE.

R BY GOVERNMENT PLEADER SRI.ABHIJETT LESSLI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : COPY OF THE MEMORANDUM AND BYE-LAWS OF THE ASSOCIATION OF WELFARE OF HANDICAPPED, KOZHIKODE

EXT.P2 : COPY OF THE LETTER DATED 28.9.2007 BY THE PRESENT MANAGER OF THE PETITIONER'S SCHOOL TO THE DIRECTOR OF VOCATIONAL HIGHER SECONDARY EDUCATION

EXT.P3 : COPY OF THE ORDER DATED 1.12.2007 ISSUED BY THE PREVIOUS MANAGER OF THE PETITIONER'S SCHOOL

EXT.P4 : COPY OF THE LETTER ISSUED BY THE PETITIONER DATED 4.12.2007 TO THE FIRST RESPONDENT

EXT.P5 : COPY OF THE RELEVANT PORTION OF THE DETAILED PAY BILL OF THE PETITIONER'S SCHOOL FOR THE PERIOD FROM 1.11.2007 TO 30.11.2007 SHOWING THE SALARY DETAILS OF 30 TEACHING AND NON-TEACHING STAFF, CONTAINING THE COUNTER SIGNATURE OF THE 1ST RESPONDENT

EXT.P6 : COPY OF THE RELEVANT PORTION OF THE DETAILED PAY BILL OF THE REHMANIA SCHOOL FOR HANDICAPPED FOR THE PERIOD FROM 1.11.2007 TO 30.11.2007 SHOWING THE SALARY DETAILS OF 78 TEACHING AND NON-TEACHING STAFF, CONTAINING THE COUNTER SIGNATURE ON BEHALF OF THE D.E.O., KOZHIKODE

EXT.P7 : COPY OF THE OBJECTION DATED 5.12.2007 NOTED BY THE 3RD RESPONDENT WITH REGARD TO EXTS.P5 AND P6.

RESPONDENTS' EXHIBITS : NIL

/TRUE COPY/

P.A TO JUDGE

AV

K.SURENDRA MOHAN, J.

W.P.(C) No.36562 of 2007

Dated this the 4th day of March, 2015

J U D G M E N T

The petitioner has filed this writ petition seeking the following reliefs :

- a) Issue a writ of mandamus or any other appropriate writ, order or direction commanding the third respondent to effect payment on the basis of the detailed pay bills counter signed by respondents 1 and 2 disregarding the objection made in Ext.P7;*
- b) Call for the records leading up to Ext.P7 and to quash the same by the issuance of a writ of certiorari or any other appropriate writ, order or direction;*
- c) Grant such other or further relief as this Hon'ble Court deems fit to grant in the particular facts and circumstances fo the case.*

2. The learned Government Pleader has handed over to me proceedings of the Sub Treasury Officer, Kozhikode dated 17.01.2008, in support of his contention that, the entire amount due to the petitioner has been paid. The learned counsel for the petitioner does not dispute the above submission.

In view of the above, this writ petition is dismissed as infructuous.

Sd/-

K.SURENDRA MOHAN, JUDGE.