

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

WP(C).No. 30258 of 2015 (F)

PETITIONERS:

1. U.SHANKARA BHAT,
S/O. LATE KRISHNA BHAT, DEVIKRIPA HOUSE,
SAHAKARI NAGAR, POST BAYAR, MANJESHWAR TALUK,
KASARAGOD DISTRICT-671 348.
2. B.RAGHAVENDRA BALLAL,
S/O. SHANKARA NARAYANA BALLAL, BALLOOR BEEDU HOUSE,
POST BERIPADAVU, MANJESHWAR TALUK,
KASARAGOD DISTRICT-671 322.

BY ADVS.SRI.K.SHRIHARI RAO
SMT.N.SHOBHA
SRI.A.S.SREEKANTH

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
REVENUE (DEVASWOM) DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695 001.
2. THE COMMISSIONER,
MALABAR DEVASWOM BOARD, ERANJIPALAM,
HOUSE FED COMPLEX, KOZHIKODE-673 006.
3. THE AREA COMMITTEE,
MALABAR DEVASWOM BOARD, KASARAGOD DIVISION,
REPRESENTED BY ITS CHAIRMAN, OFFICE AT NILESHWARAM,
KASARAGOD DISTRICT-671 314.
4. THE ASSISTANT COMMISSIONER,
MALABAR DEVASWOM BOARD, OFFICE AT NEELESWARAM,
KASARAGOD DISTRICT-671 314.
5. SMT. USHA,
INSPECTOR, MALABAR DEVASWOM BOARD,
OFFICE AT NEELESWARAM, KASARAGOD DISTRICT-671 314.
6. MONAPPA SHETTY, S/O. SHEKAPPA SHETTY,
KATNABETTU HOUSE, CHIPPAR P.O.,
BAYAR VILLAGE, MANJESHWAR TALUK,
KASARAGOD DISTRICT-671 322.

WP(C).NO.30258/2015

**7. MALABAR DEVASWOM BOARD,
REPRESENTED BY ITS SECRETARY, ERANJIPALAM,
HOUSE FED COMPLEX, KOZHIKODE-673 006.**

**R1 BY GOVERNMENT PLEADER SRI.E.M.ABDUL KHADER
R2 TO R4,R7 BY ADV. SRI.K.R.SUNIL, SC, MALABAR DEVASWOM BOARD**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 30258 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1- TRUE COPY OF THE ORDER NO.A2-3952/2013 (MDB) DATED 13-8-2014
ISSUED BY THE 4TH RESPONDENT.**

**EXHIBIT P2- TRUE COPY OF THE ORDER DATED 27-5-2015 IN RP NO.23/2014
ISSUED BY THE 2ND RESPONDENT.**

**EXHIBIT P3- TRUE COPY OF THE ORDER NO. A2-3952/13 (MDB) DATED 3-8-2015 OF
THE 4TH RESPONDENT.**

**EXHIBIT P4- TRUE COPY OF THE LETTER DATED 14-9-2015 OF THE 1ST
RESPONDENT ADDRESSED TO THE 2ND RESPONDENT.**

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 30258 of 2015

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Dated this the 6th day of October, 2015

J U D G M E N T

The petitioner seeks an early disposal of appeal filed by the 6th respondent against Ext.P2 before the Government of Kerala. By Ex.P4 the order of the Commissioner, Malabar Devaswom Board has been stayed by the Government. The petitioner submits that on the of strength of Ext.P4, the 6th respondent continuing as non hereditary trustee.

2. This Court is of the view, in view of the fact that the Government has seized the issue and ordered stay, the expedite disposal of the appeal is required.

3. Therefore there shall be a direction to the first respondent to conclude the proceedings in appeal within six weeks from the date of receipt of the copy of this judgment after hearing the petitioner as well as the 6th respondent.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE