

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

WP(C).No. 31670 of 2015 (G)

PETITIONER:

**KRISHNA KUMAR P.R., AGED 45 YEARS
S/O.P.N.RAMAN NAMBOOTHIRI, PULIMATTAH ILLOM
PIRAVOM PO, DISTRICT ERNAKULAM.**

**BY ADVS.SRI.K.REGHU KOTTAPPURAM
SRI.M.MUKESH
SRI.R.MAHESH (KOTTAPPURAM)
SRI.MURUKESH REGHU**

RESPONDENTS:

- 1. THE SUB GROUP OFFICER
THIRUMOOZHICKULAM SUB GROUP, VAIKOM GROUP
TRAVANCORE DEVASWOM BOARD, VAIKOM
DISTRICT KOTTAYAM-686 141.**
- 2. THE SUB GROUP OFFICER
THIRUPURAM SUB GROUP, VAIKOM GROUP
TRAVANCORE DEVASWOM BOARD, VAIKOM
DISTRICT KOTTAYAM-686 141.**
- 3. THE ASSISTANT DEVASWOM COMMISSIONER
VAIKOM GROUP, TRAVANCORE DEVASWOM BOARD, VAIKOM
DISTRICT KOTTAYAM-686 141.**
- 4. THE DEVASWOM COMMISSIONER
TRAVANCORE DEVASWOM BOARD, NANDANCODE
THIRUVANANTHAPURAM-695 001.**
- 5. THE TRAVANCORE DEVASWOM BOARD,
REPRESENTED BY THE SECRETARY, NANDANCODE
THIRUVANANTHAPURAM-695 001.**
- 6. AJI
SHANTHI, THIRUMOOZHICKULAM DEVASWOM
THIRUMOOZHICKULAM SUB GROUP, VAIKOM GROUP
TRAVANCORE DEVASWOM BOARD, VAIKOM
DISTRICT KOTTAYAM-686 141.**

R BY SRI.A.N.RAJAN BABU, SC, TRAVANCORE DEVASWOM BOARD

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 31670 of 2015 (G)

APPENDIX

PETITIONER'S EXHIBITS :-

- | | | |
|---------------|----------|---|
| EXT.P1 | - | COPY OF THE TREATMENT DETAILS ISSUED BY THE
DEPARTMENT OF CARDIOLOGY DATED 15.06.2015. |
| EXT.P2 | - | COPY OF ECOCARDIOGRAM REPORT DATED 12.06.2015. |
| EXT.P3 | - | COPY OF BILL DATED 29.09.2015 ISSUED BY THE HOSPITAL. |
| EXT.P4 | - | COPY OF REPRESENTATION DATED 15.10.2015. |

RESPONDENTS' EXHIBITS:- NIL

//TRUE COPY//

P.A. TO JUDGE

sp

K. VINOD CHANDRAN, J.

W.P(C). No.31670 of 2015

Dated this the 27th day of October, 2015.

JUDGMENT

The petitioner is aggrieved with the transfer effected from Thirumoozhikkulam to Thirupuram. The petitioner had been working at Thirupuram earlier and was transferred to Thirumoozhikkulam in June, 2014. The same was on the request of the petitioner, especially due to his medical condition as is disclosed from Ext.P1. While so, the petitioner, even without an order, has been directed to join back at Thirupuram and the 6th respondent is said to have been posted at Thirumoozhikkulam. Not even an order has been issued, is the contention of the petitioner.

2. The learned counsel appearing for the Devaswom Board however submits that the Devaswom Sub Group Officer at Thirumoozhikkulam had requested the petitioner to rejoin duty at Thirupuram, since the Sub Group Officer at Thirupuram had requested that the petitioner himself be appointed for reason of

the artistic talent of the petitioner in arranging the idol during 'Deeparadhana'. The petitioner is also said to be an expert in special Poojas, which is an essential requirement at Thirupuram. In any event, considering the fact that the petitioner is suffering from major ailments as is disclosed from Ext.P1, it is only proper that the petitioner be continued in Thirumoozhikkulam Devaswom, to which place he was transferred on request and in which place he has not completed his normal tenure. It cannot at all be contended that the Devaswom cannot find a suitable person to be posted at Thirupuram, who has expertise in conducting Poojas. The 6th respondent, though has joined at Thirumoozhikkulam Devaswom, has not appeared, despite notice.

In such circumstance, the petitioner will be allowed to rejoin Thirumoozhikkulam Devaswom and continue therein, at least till his normal tenure is over as per the norms of the Devaswom.

The writ petition is allowed. No costs.

Sd/-

**K. VINOD CHANDRAN,
JUDGE.**

//True Copy//

P.A. to Judge.

sp/29/10/15