

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

FRIDAY, THE 29TH DAY OF MAY 2015 / 8TH JYAISHTA, 1937

WP(C).No.36386 of 2009 (P)

PETITIONER :

RAMESH BABU, AGED 38 YEARS,
S/O.RAVEENDRAN NAIR, USHA NILAYAM, KEEZHCHERI MURI,
CHENGANNUR. (JOINT SECRETARY & TEMPLE ADVISORY COMMITTEE,
SREE MAHADEVA TEMPLE, CHENGANNUR.)

BY ADV. SRI.P.HARIDAS

RESPONDENTS :

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1. THE TRAVANCORE DEVASWOM BOARD,
REPRESENTED BY ITS SECRETARY, THIRUVANANTHAPURAM.
 2. THE CHIEF COMMISSIONER,
TRAVANCORE DEVASWOM BOARD BY ITS SECRETARY,
THIRUVANANTHAPURAM.
 3. THE COMMISSIONER,
DEVASWOM COMMISSIONER, DEVASWOM BOARD
BY ITS SECRETARY, THIRUVANANTHAPURAM.
 4. C.K.SOMAN PILLAI,
RETIRED ADMINISTRATIVE OFFICER, CHENGANNUR DEVASWOM,
CHENGANNUR NOW RESIDING AT CHERUKATTU
(KOCHUMULAPPONE), THOTTAPUZHASSERY, MARAMON,
KOZHENCHERRY.

R1-3 BY ADV. SRI.P.G.PARAMESWARA PANICKER (SR.)
BY SRI.P.GOPAL SC FOR TDB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
29-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No.36386 of 2009 (P)

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 : COPY OF THE F.I.R. REGISTERED AS CRIME
NO.860/2009 DTD.11.11.2009 OF CHENGANNUR
POLICE STATION.
- EXT.P2 : COPY OF THE COMPLAINT TO THE MINISTER
DTD.15.11.2009.
- EXT.P3 : COPY OF THE ORDER DTD.27.11.2009.
- EXT.P4 : COPY OF THE ORDER DTD.30.11.2009.

RESPONDENTS' EXHIBITS:- NIL.

True copy

P.A to Judge

ANIL K.NARENDRA, J.

W.P.(C).No.36386 of 2009

Dated this the 29th day of May, 2015

JUDGMENT

The petitioner who is the Joint Secretary of the Temple Advisory Committee of Sree Mahadeva Temple, Chengannur has filed this writ petition seeking a writ of certiorari to quash Ext.P4 order passed by the 3rd respondent and seeking a writ of mandamus commanding respondents 1 to 3 to initiate disciplinary proceedings against the 4th respondent (wrongly typed as petitioner) after placing him under suspension.

2. By order dated 16.12.2009 this Court has directed the petitioner to produce the copy of order dated 30.11.2009 referred to in Ext.P4. The petitioner neither produced copy of the aforesaid order nor brought up this matter before the bench thereafter.

3. Today when the case was taken up for final hearing the learned counsel for the petitioner pressed for the reliefs sought for in this writ petition.

4. I heard the learned counsel for the petitioner and also the learned Standing Counsel for the Travancore Devaswom Board.

5. Even from the cause title of the writ petition it is seen that the 4th respondent retired from service even prior to the filing of the writ petition. By Ext.P4 the 4th respondent who was placed under suspension

in connection with certain misconducts alleged against him was ordered to be reinstated by revoking that order of suspension. Going by the averments in the writ petition it is an admitted fact that the 4th respondent retired from service on 30.11.2009. Therefore in a writ petition filed on 15.12.2009 the petitioner cannot seek a writ of certiorari to quash Ext.P4 order in order to place the 4th respondent again under suspension. Further prayer made in the writ petition is to initiate disciplinary proceedings against the petitioner after placing him under suspension, which cannot be granted as the 4th respondent has already retired from service on 30.11.2009 and he is no more in the service of the Travancore Devaswom Board.

In the result, I find absolutely no merit in the various grounds raised in the writ petition. The Writ Petition fails and the same is dismissed. No order as to costs.

Sd/-
ANIL K.NARENDHAN, JUDGE

skj