

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 3RD DAY OF DECEMBER 2014/12TH AGRAHAYANA, 1936

WP(C).No. 32425 of 2014 (C)

PETITIONER(S):

**P.P BHASKARAN AGED 51 YEARS, S/O. KELAN
RESIDING AT 'MAMATHA', HIGH WAY JUNCTION, P.O.
VALAPATTANAM, KANNUR.**

**BY ADVS.SRI.N.DHARMADAN (SR.)
SMT.D.P.RENU**

RESPONDENT(S):

- 1. THE VICE CHANCELLOR, KERALA UNIVERSITY OF HEALTH SCIENCE,
MEDICAL COLLEGE P.O., THRISSUR 680 596.**
- 2. M.V. GIRISHKUMAR, PRESIDENT, PAPPINISSERY PANCHAYAT
VISHA CHIKILSA SOCIETY, 'JYOTHIS', THAVAKKARA, KANNUR 670 561**
- 3. K.K. NANU, SECRETARY, PAPPINISSERY PANCHAYAT VISHA CHIKILSA
SOCIETY, 'SREENAS', PUTHIYAKAVU, PAPPINIOSSERY WEST P.O.,
KANNUR 670 561.**

**R1 BY ADV. SRI.P.SREEKUMAR,SC,KERALA UNIVERSITY OF HEALTH
SCIENCE**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03-12-2014, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS

- EXT.P1 : COPY OF REPRESENTATION DATED 6.11.2014 FILED BY THE PETITIONER**
- EXT.P2 : COPY OF PROCEEDINGS DATED 10.10.2014 BY RESPONDENTS 2 AND 3**
- EXT.P3 : COPY OF BYE-LAWS OF THE SOCIETY (RELEVANT PORTION) DATED 27.7.1973 WITH ENGLISH TRANSLATION**
- EXT.P4 : COPY OF ORDER IN I.A. 1503/2014 IN O.S. 514/2014 DT. 26.09.2014 OF THE MUNSIFF COURT, TALIPARAMBA.**
- EXT.P5 : COPY OF REMINDER DATED 13.11.2014 BY PETITIONER.**

RESPONDENT'S EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

JJJ

DAMA SESHADRI NAIDU, J.

W.P.(C) No. 32425 of 2014

Dated this the 3rd day of December, 2014

J U D G M E N T

Heard the learned counsel for the petitioner and the learned Standing Counsel for respondents 1 to 3, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. Briefly stated, the petitioner joined the Parassinikadavu Ayurveda Medical College on 4.12.2002 as Reader, and later became the Principal on 1.5.2011. Owing to what is said to be management dispute, one Sri. Pattayam Rajan, claiming to be the President of the 2nd respondent Society, filed a civil suit and obtained an ex-parte injunction in O.S. No. 514/2014. The said Order eventually resulted in the suspension of the petitioner with effect from 20th May, 2014.

3. As could be seen from the records, later the civil Court vacated the interim injunction through Ext.P4 dated 26th September, 2014. In that context, the 2nd respondent issued Ext.P2 proceedings to the 3rd respondent directing petitioner's reinstatement. When no consequent measures were taken pursuant to Ext.P2, the petitioner is said to have made Ext.P1 representation before the 1st respondent. Later, it was followed up with Ext.P5 reminder. Complaining of non implementation of Ext.P2 order of the 2nd respondent, the petitioner filed the present Writ Petition.

4. In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioner and the learned Standing Counsel for the respondents, this Court, without adverting to the merits of the matter, disposes of the present writ petition with a direction to the 3rd respondent to consider Exhibits P1 and P5 representation of the petitioner, in accordance with law

and pass appropriate orders thereon, taking into account Ext.P2 direction of the 2nd respondent, as expeditiously as possible, at any rate, within three weeks from the date of receipt of a copy of this judgment. If required, the petitioner shall produce a copy of the judgment along with a copy of the Writ Petition before the 3rd respondent.

Sd/-
DAMA SESHADRI NAIDU,
JUDGE

jjj