

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 11TH DAY OF FEBRUARY 2015/22ND MAGHA, 1936

WP(C).No. 33953 of 2014 (T)

PETITIONER :

**C.M.JAYAKUMAR, AGED 42 YEARS
S/O. LATE C.K.MADHAVAN, ELANKUNNAPPUZHA P.O.
ERNAKULAM.**

BY ADV. SRI.NIREESH MATHEW

RESPONDENT(S) :

- 1. THE STATE OF KERALA
REP. BY THE SECRETARY, DEPARTMENT OF FISHERIES
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 2. THE DIRECTOR OF FISHERIES
THIRUVANANTHAPURAM-695 001.**
- 3. THE DEPUTY DIRECTOR OF FISHERIES
ZONAL OFFICE OF THE DEPUTY DIRECTOR OF FISHERIES
ERNAKULAM-682 031.**

R1 TO R3 BY SR. GOVT. PLEADER SRI. JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

WP(C).No. 33953 of 2014 (T)

APPENDIX

PETITIONERS' EXHIBITS :

**EXT. P1 : PHOTOCOPY OF THE APPLICATION DTD.24.4.2014 SUBMITTED BY THE
PETITIONER TO THE 3RD RESPONDENT.**

**EXT. P2 : PHOTOCOPY OF THE CERTIFICATE NO.B1/1317/95 DTD.7.6.2014
ISSUED BY THE 3RD RESPONDENT.**

**EXT. P3 : PHOTOCOPY OF THE CERTIFICATE OF ADMINISTRATION NO.28/2014
DTD.12.6.2014 ISSUED BY THE ADMINISTRATOR GENERAL OF
KERALA.**

**EXT. P4 : PHOTOCOPY OF THE LETTER NO.B1/1317/95/24 DTD.27.11.2014
ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.33953 of 2014

Dated this the 11th day of February, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"a) Call for the records leading to Ext.P4 and quash the same to the extent it denying compensation to the petitioner by issuing a writ of certiorari or other appropriate writ, order or direction;

b) Declare that the petitioner is entitled to receipt compensation of Rs.3,75,000/- in respect of 1.5 slake nets, as the legal heir of his late father, Shri.C.K. Madhavan;

c) Issue a writ of mandamus or any other appropriate writ, order or direction, commanding the 2nd and 3rd respondents to disburse the compensation of Rs.3,75,000/- in respect of 1.5 slake nets, as the legal heir of his late father, Shri. C.K. Madhavan forthwith, in the light of Exts.P2 & P3;

d) Issue a writ of mandamus or any other appropriate writ, order or direction, commanding the 3rd respondent to reconsider Ext.P1 and allow the same forthwith, and

e) Grant such other and further reliefs as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

2. Heard the learned counsel for the petitioner as well as the learned Government Pleader appearing for the respondents as well.

3. During the course of hearing, it is brought to the notice

of this Court that the 3rd respondent has already forwarded Ext.P4 report dated 27.11.2014 to the 2nd respondent and the learned Government Pleader submits that whether the petitioner is eligible to have the compensation to the said extent is a matter, which is to be considered by the 2nd respondent.

4. In the said circumstances, there will be a direction to the 2nd respondent to consider and finalise Ext.P4, after affording an opportunity of hearing to the petitioner, at the earliest, at any rate, within 'two months' from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the 2nd respondent, for further steps.

The writ petition is disposed of.

**P.R. RAMACHANDRA MENON,
JUDGE**

sp