

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 4TH DAY OF DECEMBER 2015/13TH AGRAHAYANA, 1937

WP(C).No. 34651 of 2015 (F)

PETITIONER(S) :

T.A.MURALI, AGED 47 YEARS
S/O.KRISHNAPODUVAL, THEKKE ATHAYI HOUSE
MAHADEVA GRAMAM, PAYYANNUR P.O., TALIPARAMBA TALUK
KANNUR DISTRICT.

BY ADVS.SRI.M.V.AMARESAN
SRI.V.GANGADHARAN (VALIYAPARAMBATH)

RESPONDENT(S) :

1. EXECUTIVE OFFICER
SREE SURBAMANYA SWAMI TEMPLE, P.O.PAYYANNUR
THALIPARAMBA TALUK, KANNUR DISTRICT, PIN-670 307.
2. THE BOARD OF TRUSTEE
REPRESENTED BY ITS CHAIRMAN
SREE SURBAMANYA SWAMI TEMPLE, P.O.PAYYANNUR
THALIPARAMBA TALUK, KANNUR DISTRICT, PIN-670 307.

Addl.3. ASSISTANT COMMISSIONER,
MALABAR DEVASWOM BOARD, NEELESWARAM, KASARGOD
PIN-671 314

- * ADDL.R3 IS IMPEADED AS PER ORDER DATED 25.11.2015 IN IA
NO.16937/2015

ADDL.R3 BY ADV. SRI.K.R.SUNIL, SC, MALABAR DEVASWOM BOARD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
04-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C) .No. 34651 of 2015 (F)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1 COPY OF REPRESENTATION DATED 16/9/2015 SUBMITTED BY THE
PETITIONER BEFORE THE RESPONDENTS

EXT.P1 (a) COPY OF POSTAL ACKNOWLEDGEMENT CARD DATED 26/9/2015
SIGNED BY THE 1ST RESPONDENT EXECUTIVE OFFICER.

EXT.P1 (B) COPY OF POSTAL ACKNOWLEDGEMENT CARD DATED 22/9/2015
SIGNED BY CHAIRMAN, BOARD OF TRUSTEE.

RESPONDENT(S) ' EXHIBITS: NIL

//TRUE COPY//

PA TO JUDGE

JJJ

K. VINOD CHANDRAN, J.

W.P.(C) No. 34651 of 2015 (F)

Dated this the 4th day of December, 2015

J U D G M E N T

The petitioner is aggrieved by the termination made by the 1st respondent. The petitioner seeks that the representation filed before the 2nd respondent may be considered.

2. I have heard the learned counsel for the petitioner and the learned Standing Counsel for the additional 3rd respondent Malabar Devaswom Board.

3. Though the petitioner's prayer is said to be an innocuous one for consideration of representation, this Court is of the opinion that no such writ can be issued either against the 1st respondent or the 2nd respondent for reason of both of them not being 'State' under Article 12 of the Constitution of India.

4. However, the petitioner's termination could be challenged before the appropriate forum. Leaving such remedy open, the Writ Petition would stand dismissed.

Sd/-
K.VINOD CHANDRAN,
JUDGE