

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 8TH DAY OF DECEMBER 2015/17TH AGRAHAYANA, 1937

WP(C).No. 37091 of 2015 (J)

PETITIONER :

**NAJEESHKUMAR.V.K., AGED 41 YEARS,
S/O. RAJAN, VALIYAVALLAPPIL THAZHEKUNYIL,
ORKATTERI P.O., VADAKRA, KOZHIKODE DISTRICT.**

**BY ADVS.SRI.K.MOHANAKANNAN
SMT.D.S.THUSHARA
SMT.A.R.PRAVITHA**

RESPONDENTS :

- 1. STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT,
REVENUE (DEVASWOMS) DEPARTMENT,
THIRUVANANTHAPURAM.**
- 2. THE COMMISSIONER, MALABAR DEVASWOM BOARD,
HOUSEFED COMPLEX, ERAHIPALAM,
KOZHIKODE DISTRICT - 673 006.**
- 3. THE ASSISTANT COMMISSIONER,
MALABAR DEVASWOM BOARD, THALASSERI DIVISION,
THALASSERI-679 532.**
- 4. PRABHAKARAN, PONARI HOSUE,
MADAPPALLY COLLEGE P.O., VATAKARA
KOZHIKODE-673 102.**
- 5. VENUNATH, KURUNAYIL HOUSE,
ONCHIYAM P.O., VATAKARA,KOZHIKODE-673 308.**
- 6. R.MURALEEDHARAN
DAYAROTH HOUSE, ONCHIYAM P.O., VATAKARA
KOZHIKODE-673 308.**
- 7. SHAJI, PUTHENPURACKAL THAZHEKUNI,
ONCHIYAM P.O., VATAKARA, KOZHIKODE-673 308.**

**R1 BY GOVERNMENT PLEADER SMT.C.K. SHERIN
R2 & R3 BY SRI.MAHESH V.RAMAKRISHNAN, SC,**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 37091 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: TRUE COPY OF THE ORDER NO.A2.413/14/MDB(K.DIS)
DATED 1/12/2014.

EXT.P2: TRUE COPY OF THE ORDER PASSED BY THE 2ND RESPONDENT IN
RP 32/2014 DATED 3/7/2015.

EXT.P3: TRUE COPY OF THE G.O.NO.58202/DEV.1/2015/RD DATED 25/9/2015.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.37091 is/2015**  
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Dated this the 8th Day of December, 2015

J U D G M E N T

The petitioner, apprehending delay involved in disposing the appeal filed by the respondents 4 to 7 challenging cancellation of their appointment as non hereditary trustees by the Government, has approached this Court. Petitioner points out that the Government has no power to retain an appeal and if at all the Government has any power, it is that of revision. It is further submitted that the appointments are for a period of two years and already one year has lapsed and further, any delay in this matter would frustrate appointment of non hereditary trustees.

2. Considering the facts and circumstances, there shall be a direction to the first respondent to dispose of the appeal/revision filed by the party respondents within a period of six weeks from the date of receipt of copy of this judgment after hearing all concerned.

The writ petition is disposed of as above. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

ms