

Sivakumar Vs. the Administrator, Gdb

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Court : Kerala

Decided On : Jul-31-2013

Judge : Honourable Mr.Justice T.R.Ramachandran Nair

Appellant : Sivakumar

Respondent : The Administrator, Gdb

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR & THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI WEDNESDAY, THE 31ST DAY OF JULY 2013 9TH SRAVANA, 1935 WP(C).No. 17366 of 2013 (U)

----- PETITIONER: ----- SIVA KUMAR, KRISHNA KUMAR NIVAS, MAMMIYUR P.O., GURUVAYUR, THRISSUR DISTRICT-PIN-680 101. BY ADV. SMT. TULASI PANICKER RESPONDENTS: ----- 1. THE ADMINISTRATOR, GURUVAYUR DEVASWOM, THRISSUR DISRICT-PIN-681 101.

2. THE DEPUTY ADMINISTRATOR, STORES AND PURCAHSE SECTION, GURUVAYUR DEVASWOM, THRISSUR DISRICT-PIN-681 101.

3. THE ASSISTANT MANAGER, STORES AND PURCAHSE SECTION, GURUVAYUR DEVASWOM, THRISSUR DISRICT-PIN-681 101. BY ADV. SRI.P.GOPAL,SC,TDB THIS WRIT PETITION (CIVIL) HAVING COME UP FOR

ADMISSION ON 31-07-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: sts WP(C).No. 17366 of 2013 (U) ----- APPENDIX PETITIONER(S)' EXHIBITS ----- EXHIBIT P1. TRUE COPY OF SAID INTIMATION LETTER DATED 8 11/2012 ISSUED TO THE PETITIONER BY THE 1ST RESPONDENT EXHIBIT 2 TRUE COPY OF THE UNDATED LETTER ADDRESSED TO THE 1ST RESPONDENT EXHIBIT P3. TRUE COPY OF THE LAWYER NOTICE DATED 18 5/2013 ISSUED TO THE 1ST RESPONDENT EXHIBIT 4 TRUE COPY OF THE LETTER DATED 10 6/2013 ADDRESSED TO THE PETITIONER BY THE 1ST RESPONDENT RESPONDENT(S)' EXHIBITS: NIL /TRUE COPY/ P.A.TO.JUDGE sts T.R. RAMACHANDRAN NAIR & A.V.RAMAKRISHNA PILLAI, JJ.

~~~~~ W.P.(C).No.17366/2013

~~~~~ Dated this the 31st day of July, 2013

JUDGMENT

Ramachandran Nair, J.

The petitioner, who was awarded with the work of supply of provisions in connection with the Ekadasi festival in Guruvayoor is aggrieved by the delay in honouring the payment due to him towards the works executed.

2. Learned Standing Counsel for the Board on getting instructions submitted that out of the total amount of 1,50,371/-, already an amount of 1,05,843/- has been sanctioned. With regard to the remaining amount, it is submitted that the balance amount represents the cost of supply of jaggery. Learned Standing Counsel further submitted that with regard to the preparation of wheat payasam on that particular day, it was found that the same was contaminated by traces of bleaching power (taste of chlorine). According to the learned Standing Counsel, the Devaswom authorities verified this fact with the suppliers of water W.P.(C). No.17366/2013 -:2:- and they have confirmed that there was no chance of the water supplied to the Devaswom being contaminated and the water authority has also certified the quality. Learned Standing Counsel suggests that the Chief

Finance and Accounts Officer may take up the matter for a decision, with due notice to the petitioner and the Administrative Officer of the Devaswom concerned. Accordingly, we direct the Chief Finance and Accounts Officer to enquire into the matter and take a decision with regard to the prayer of the petitioner for clearing the remaining amount of bill and appropriate decision will be taken within a period of one month. Depending upon the said decision, the Managing Committee will act. The writ petition is accordingly disposed of. No costs. Sd/- (T.R. Ramachandran Nair, Judge.) Sd/- (A.V. Ramakrishna Pillai, Judge.) ms

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