

Sumithran K Vs. State of Kerala

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Court : Kerala

Decided On : Oct-17-2014

Judge : Honourable Mr. Justice a.Muhamed Mustaque

Appellant : Sumithran K

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE FRIDAY, THE 17TH DAY OF OCTOBER 2014 25TH ASWINA, 1936 WP(C).No. 23693 of 2014 (J)

----- PETITIONER(S): ----- SUMITHRAN K S/O.MADHAVAN, KOZHISSERY HOUSE, P.K.PANICKER ROAD P.O.NADAKKAVU, CALICUT - 673 011. BY ADVS.SRI.K.M.FIROZ SRI.S.KANNAN SMT.M.SHAJNA FIROZ RESPONDENT(S): ----- 1. STATE OF KERALA REPRESENTED BY ITS SECRETARY TO GOVERNMENT TOURISM DEPARTMENT, GOVERNMENT SECRETARIAT THIRUVANANTHAPURAM - 695 001.

2. THE DIRECTOR DEPARTMENT OF TOURISM, PARK VIEW THIRUVANANTHAPURAM - 695 001.

3. REGIONAL JOINT DIRECTOR DEPARTMENT OF TOURISM, CIVIL STATION KOZHIKODE - 678 020.

4. MANAGER GOVERNMENT GUEST HOUSE, WEST HILL KOZHIKODE - 673 001.

5. P.SUNDARESAN MANAGER, GOVERNMENT GUEST HOUSE, WEST HILL KOZHIKODE - 673 001. BY ADV. GOVERNMENT PLEADER SRI. JOSEPH GEORGE THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17.10.2014, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C).No. 23693 of 2014 (J) ----- APPENDIX PETITIONER(S)' EXHIBITS ----- P1 - A TRUE COPY OF THE AGREEMENT EXECUTED BETWEEN THE PETITIONER WITH THE 2D RESPONDENT DT. 01.11.13. P1(A)- A TRUE COPY OF CHALAN RECEIPTS EVIDENCING PAYMENTS MADE BY THE PETITIONER. P2 - A TRUE COPY OF THE COMMUNICATION DT. 22.12.13 ISSUED BY THE 5H RESPONDENT IN HIS CAPACITY AS MANAGER OF GOVERNMENT GUEST HOUSE, KOZHIKODE TO THE PETITIONER. P3 - A TRUE COPY OF THE COMPLAINT DT. 23.12.13 SUBMITTED BY THE PETITIONER BEFORE THE HON'BLE MINISTER OF TOURISM DEPARTMENT OF THE STATE OF KERALA. P4 - A TRUE COPY OF THE COMMUNICATION DT. 22.1.14 ISSUED BY THE 2D RESPONDENT TO THE PETITIONER. P5 - A TRUE COPY OF THE COMMUNICATION DT. 08.1.14 ISSUED BY THE 5H RESPONDENT TO THE PETITIONER. P6 - A TRUE COPY OF THE COMMUNICATION DT. 19.1.14 ISSUED TO THE PETITIONER BY THE 5H RESPONDENT MANAGER. P7 - A TRUE COPY OF THE EXPLANATION SUBMITTED BY THE PETITIONER BEFORE THE 4H RESPONDENT ON 28.1.14. P8 - A TRUE COPY OF THE NOTICE DT. 28.1.14 ISSUED BY THE 3D RESPONDENT TO THE PETITIONER. P9 - A TRUE COPY OF THE REPRESENTATION DT. 03.2.14 OF SUBMITTED BY PETITIONER BEFORE THE 3D RESPONDENT. P10 - A TRUE COPY OF THE BILLS DT. 01.12.13 SUBMITTED BY THE PETITIONER BEFORE THE 2D RESPONDENT. WP(C).No. 23693 of 2014 (J) ----- P10(A) - A TRUE COPY OF THE BILLS DT. 01.1.14 SUBMITTED BY PETITIONER BEFORE THE 2D RESPONDENT. P10(B) - A TRUE COPY OF THE BILLS DT. 01.2.14 SUBMITTED BY THE PETITIONER BEFORE THE 2D RESPONDENT. P10(C) - A TRUE COPY OF THE BILLS DT. 01.3.14 SUBMITTED BY THE PETITIONER BEFORE THE 2D RESPONDENT. P11 - A TRUE COPY OF THE

LETTER DT. 18.3.14 ISSUED BY THE 2D RESPONDENT TO THE PETITIONER.
P12 - A TRUE COPY OF THE EXPLANATION DT. 31.3.14 SUBMITTED BY
THE PETITIONER BEFORE THE 2D RESPONDENT. P13 - A TRUE COPY OF
THE COMMUNICATION DT. 12.5.14 ISSUED BY THE 2D RESPONDENT.
A.MUHAMED MUSTAQUE, J.

..... WP(C).No. 23693 of 2014
..... Dated this the 17th day of October, 2014.

JUDGMENT

Petitioner has approached this Court challenging Ext. P13 order passed by the 2nd respondent terminating the contract work of the petitioner for 'maintaining garden' attached to Government Guest House, Kozhikode. Pursuant to Ext.P13, the said work was handed over to another person after inviting tender. In view of the above, the petitioner's first prayer has become infructuous.

2. Petitioner's case is that he has not received the amount for the work done by him . He further submits W.P.C. 23693/2-014 2 that the amount deposited by him towards security has also not been returned to him by the 2nd respondent. Accordingly, this Writ Petition is disposed of with a direction to the 2nd respondent to release amount deposited by the petitioner towards security within a period of two weeks from today, and also the amount due to him towards the work done by him, within a period of four weeks from today. The Writ Petition is disposed of as above. Dated this the 17th day of October, 2014. Sd/-A.MUHAMED MUSTAQUE, (Judge) ani/ /truecopy/ P.S. ToJudge W.P.C. 23693/2-014 3

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