

E. Nandakumar vs Malabar Devaswom Board

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Court : Kerala

Decided On : Mar-20-2020

Judge : Honourable Mr.Justice C.T.Ravikumar,Honourable Mr. Justice Bechu Kurian Thomas

Appeal No. : WP(C)/8907/2020

Appellant : E. Nandakumar

Respondent : Malabar Devaswom Board

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE C.T.RAVIKUMAR & THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS FRIDAY, THE 20TH DAY OF MARCH 2020 / 30TH PHALGUNA, 1941 WP(C).No.8907 OF 2020 PETITIONER: E. NANDAKUMAR,AGED 56 YEARS S/O. ACHUKUTTY NAIR, THODUVAYAL, KEEZHARIYOOR P.O, KOYILANDI (VIA) KOZHIKODE DISTRICT. BY ADV. SRI.V.N.RAMESAN NAMBISAN RESPONDENTS: 1 MALABAR DEVASWOM BOARD REPRESENTED BY ITS COMMISSIONER, 2 THE DEPUTY COMMISSIONER, MALABAR DEVASWOM BOARD, KOZHIKODE DISTRICT PIN 673 307 3 BOARD OF

TRUSTEES, REPRESENTED BY ITS CHAIRMAN, THE PISHARIKAVU DEVASWOM, KOLLAM, KOYILANDI, 4 THE EXECUTIVE OFFICER, THE PISHARIKAVU DEVASWOM, KOLLAM, KOYILANDI SRI.R. LAKSHMI NARAYAN, SC, MDB THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20.03.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: W.P.(C).8907/2020 2

JUDGMENT

Ravikumar, J.

The petitioner who is one among the members of one of the

eight hereditary trustee families filed this writ petition seeking direction for an expeditious disposal of Ext.P1 viz., O.A No.7 of 2018 pending before the second respondent. Ext.P1 carries a prayer to cancel/withdraw the scheme in vogue at Pisharikkavu and approve the draft scheme attached as Annexure A in Ext.P1, for the administration of the affairs of the said temple and to notify the same, in accordance with law. Obviously, it is the delay in the matter of its consideration that constrained the petitioner to file the captioned writ petition.

Heard the learned counsel for the petitioner and the learned standing counsel for the Malabar Devaswom Board. The learned standing counsel submitted, on instructions, that Ext.P1 can be disposed of within a period of four months. Recording the said submission, this writ petition is disposed of with a direction to the W.P.(C).8907/2020 3

second respondent to dispose of O.A.No.7 of 2018 expeditiously, at any rate, within a period of four months from the date of receipt of copy of this judgment. We make it clear that we have not made any observation touching the merits of the claims and contentions raised by the petitioner.

C.T.RAVIKUMAR BECHU KURIAN THOMAS W.P.(C).8907/2020 4 APPENDIX
PETITIONER'S EXHIBITS: EXT.P1:TRUE COPY OF THE O.A.NO.7 OF 2018
FILED BEFORE THE DY.COMMISSIONER, HR & CE DEPARTMENT,

KOZHIKODE. EXT.P2:TRUE COPY OF THE DECISION OF THE BOARD OF TRUSTEES DATED 12.9.2016. EXT.P3:TRUE COPY OF THE LETTER NO.QV 09/2015/KKD DATED 27.10.2016 OF THE DYSP,VIGILANCE, KOZHIKODE. EXT.P4:TRUE COPY OF THE COMMISSIONER'S NOTICE NO.J6/520/2020/M.D.B DATED 4.2.2020. spc/

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