

Sundaran M. vs Telecom General Manager

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SooperKanoon Citation : sooperkanoon.com/1785758

Court : Kerala

Decided On : Feb-04-2020

Judge : Honourable the Chief Justice Mr.S.Manikumar,Honourable Mr. Justice Shaji P.Chaly

Appeal No. : OP/18689/1998

Appellant : Sundaran M.

Respondent : Telecom General Manager

Judgement :

O.P.18689/1998 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE THE CHIEF JUSTICE MR.S.MANIKUMAR & THE HONOURABLE MR. JUSTICE SHAJI P.CHALY TUESDAY, THE 04TH DAY OF FEBRUARY 2020 / 15TH MAGHA, 1941 OP.No.18689 OF 1998(Y) PETITIONER/S: 1 SUNDARAN M., S/O.MAYANDI, KONGAD BUS STAND, KONGAD P. O., PALAKKAD DIST. 2 SIVADASAN N.A., 3 THOMAS M.A., MANGALY HOUSE, MAMPALLY PUREDAM, 4 ASMABI C.A., KONGAD - 678 631. 5 THOMAS A.T., SWEETY VILLA, VELIKKAD, 6 ANANTHAKRISHNAN,

7 KRISHNA DAS M., 8 SANKARAN C.S., PARASSERY P.O. 9
MANIKUTTY P.N., KADAMBUZHIPURAM - 678 633. O.P.18689/1998 2
10 VIPIN H., ELAPPALLI - 678 622. 11 SHOBHANA, PIN - 678 613. BY
ADV.SMT.K.INDU RESPONDENT/S: 1 TELECOM GENERAL
MANAGER, DEPARTMENT OF TELECOM, PALGHAT. 2 ACCOUNTS
OFFICER, TELEPHONE REVENUE, O/O. THE GENERAL MANGER,
TELECOM, PALGHAT.

R1 BY ADV. SRI.K.RAMAKUMAR, SCGSC R1 BY ADV.
SRI.JAGDEESH LAKSHMAN, ADDL.CGSC R1 BY ADV.
SRI.MATHEWS K.PHILIP, SC BSNL THIS ORIGINAL PETITION
HAVING COME UP FOR ADMISSION ON 04.02.2020, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING: O.P.18689/1998 3

JUDGMENT

Dated this the 4th day of February 2020 S.Manikumar, CJ. This original petition was filed with following prayers: i) to issue a writ in the nature of certiorari or other appropriate writ, order or direction, to call for the records leading to Exhibit P1 to P3(b) series of demand notes and similar other demand notes issued to the petitioners, and to quash the same. ii) to issue a writ of mandamus or other appropriate writ,

order or direction, directing the respondents not to

recover any amount of additional security on implementation of the judgment in O.P.No.13722/97, till a final decision is taken by this Hon'ble Court in the Writ Appeals. iii) to issue a writ of mandamus or other appropriate writ, order or direction, directing the respondent that if any additional security need be collected from the petitioners, as per final verdict of this Hon'ble Court it may be recovered from the commission due to the petitioners, on an instalment basis. On 27.11.1998 this case was referred to this Bench. Issue in this original

petition pertains to establishment and operation of STD and ISD telephone booths, which are no longer functioning. Therefore, there is no need to retain this original petition here. Hence, this original petition is closed. S.MANIKUMAR CHIEF JUSTICE SHAJI P.CHALY JUDGE DG O.P.18689/1998 4 APPENDIX PETITIONER'S/S EXHIBITS:

EXHIBIT P1 TRUE COPY OF THE LETTER NO.31-13/91-PHB DATED 18.1.94 ISSUED BY THE MINISTRY OF COMMUNICATIONS, DEPT. OF TELECOM, ASSISTANT DIRECTOR GENERAL (PHB). EXHIBIT P2 TRUE COPY OF THE JUDGMENT IN O.P.NO.6176/98 DATED 27.3.98 OF THE HON'BLE HIGH COURT OF KERALA, ERNAKULAM. EXHIBIT P3 TRUE COPY OF THE DEMAND NOTE DATED 16.9.98 ISSUED TO THE 1ST PETITIONER. EXHIBIT P3 (a) TRUE COPY OF THE DEMAND NOTE DATED 16.9.98 ISSUED TO THE 2ND PETITIONER. EXHIBIT P3 (b) TRUE COPY OF THE DEMAND NOTE DATED 16.9.98 ISSUED TO THE 3RD PETITIONER. EXHIBIT P4 TRUE COPY OF THE INTERIM ORDER IN CMP NO.2217/98 IN W.A.NO.861/98 DATED 15.5.98 OF THE HON'BLE HIGH COURT OF KERALA, ERNAKULAM.

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