

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 31ST DAY OF MAY 2013/10TH JYAISHTA 1935

WP(C) .No. 26462 of 2004 (A)

PETITIONER(S) :

1. VELAYUDHAN, S/O. KORAN, JUBY NILAYAM,
P.O. KAKKOOR, THAMARASSERY AMSOM, KOZHIKODE DISTRICT.
SECRETARY, KARIMBALAN, SCHEDULE TRIBE, NNMINDA, KOZHIKODE
2. VIJAYAN. A.C., ADUPPIL VEEDU,
P.O. VILANGADU, VELLIYODU AMSOM, DESOM
KOZHIKODE.
3. O.C.JAYAN, S/O. CHANDU, ODAYIL VEEDU,
P.O. VILANGADU, KOZHIKODE DISTRICT.

BY ADVS. SRI. T. SETHUMADHAVAN
SRI. PUSHPARAJAN KODOTH
SRI. K. JAYESH MOHANKUMAR

RESPONDENT(S) :

1. THE SECRETARY TO GOVERNMENT,
SCHEDULED CASTES & SCHEDULED TRIBES DEVELOPMENT
DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM.
2. THE DIRECTOR, SCHEDULED CASTES &
SCHEDULED TRIBES DEVELOPMENT DEPARTMENT
VIKAS BHAVAN, VITH FLOOR, THIRUVANANTHAPURAM.
3. THE TRIBAL DEVELOPMENT OFFICER,
C-BLOCK, IVTH FLOOR, CIVIL STATION
MALAPARAMBA, KOZHIKODE.
4. C. MOYINKUTTY, MEMBER OF LEGISLATIVE
ASSEMBLY FROM THIRUVAMBADI CONSTITUENCY HAVING
HIS OFFICE AT M.L.A. OFFICE, THIRUVAMBADI.

ADDL.R5 IMPEADED:

5. TAMRASSERY GRAMA PANCHAYAT,
TAMARASSERY, KOZHIKODE 673573
REPRESENTED BY ITS SECRETARY
ADDL.R5 IS IMPEADED AS PER ORDER DT 10/2/2005 IN
IA 16119/2004

R1 BY SPECIAL GOVERNMENT PLEADER SMT. SANTHAMMA
R4 & R5 BY ADVS. SRI. K.A. SALIL NARAYANAN
SRI. P.C. NAJEEB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 31-05-2013, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :

- P1: COPY OF REPORT SUBMITTED BY THE R2 BEFORE THE R1 FOR
SHIFTING THE OFFICE FROM THAMARASSERY TO KOZHIKODE.
- P2: COPY OF PROCEEDINGS OF R1 DT 10/3/2004.
- P3: COPY OF NEWS ITEM APPEARED IN THE MALAYALA MANORAMA DEILY
DT 12/8/04.
- P4: COPY OF APPEAL PETITION DT 13/8/04 SUBMITTED BY 1ST
PETITIONER
- P5: COPY OF NEWS ITEM APPEARED IN THE MALAYALA MANORAMA DAILY
DT 16/8/04

RESPONDENT'S EXHIBITS :

- EXT.R4(a): COPY OF THE REPRESENTATION RECEIVED FROM TRIBAL
FAMILIES FOR SHIFTING THE OFFICE BACK TO THAMARASSERY.

//TRUE COPY//

P.A. TO JUDGE

BP

BABU MATHEW P. JOSEPH, J.

W.P.(C) No.26462 of 2004

Dated this the 31st day of May, 2013

J U D G M E N T

This writ petition has been filed for a direction to respondents 1 to 3 not to shift the office of the Tribal Development Officer from Civil Station, Kozhikode to Thamarassery.

2. Heard. Learned Special Government Pleader submits that the apprehension of the petitioners that the office of the Tribal Development Officer functioning at the Civil Station, Kozhikode will be transferred to Thamarassery is without any foundation. No orders have been issued by the Government for shifting that office from Civil Station, Kozhikode. The said office is still functioning at the Civil Station, Kozhikode, she further submits.

This writ petition has been filed as early as in 2004. Nearly nine years have elapsed since the filing of this writ petition. In view of this fact and the submissions made by the learned Special Government Pleader, this court

finds no basis for the apprehension of the petitioners that the Tribal Development Office will be transferred from Civil Station, Kozhikode to Thamarassery. In that view of the matter, this writ petition does not survive. Therefore, this writ petition is dismissed.

Sd/-
BABU MATHEW P. JOSEPH,
JUDGE