

(2017) 06 KL CK 0024
In the High Court Of Kerala
Case No : 7676 of 2017 (H)

R. RADHAKRISHNAN

APPELLANT

Vs

STATE OF KERALA

RESPONDENT

Date of Decision : 21-06-2017

Acts Referred:

Citation : (2017) 06 KL CK 0024

Hon'ble Judges : P.B.Suresh Kumar

Bench : SINGLE BENCH

Advocate : R.SATISH KUMAR, SANDESH RAJA

Judgement

1. The petitioner is the convenor of the workers engaged usually for executing forestry works. The case of the petitioner is that the amounts due to the workers represented by him in respect of 12 works executed by them have not been disbursed. He, therefore, seeks appropriate direction in this writ petition for disbursement of the proceeds of the works executed by the workers represented by him.
2. After the filing of the writ petition, the petitioner produced a communication sent by the Chief Forest Conservator (I & E), Kottayam to the Additional Principal Chief Forest Conservator (Vigilance), Thiruvananthapuram. It is stated in the said communication that the petitioner has completed 7 out of 12 works referred to in the writ petition and the payments due in respect of the same have not been effected since the

estimate for the said works was not sanctioned by the appropriate authority. In the said communication, it is stated that the petitioner is entitled to the payments in respect of the said 7 works.

3. It is pointed by the learned Special Government Pleader that since the works have been executed, a decision in this regard can be taken only by the Principal Chief Conservator (Forest & Management), Thiruvananthapuram.

4. The fact that the petitioner has executed 7 out of 12 works referred to in the writ petition, is not in dispute. As such, the petitioner is entitled to the payment thereof, for, he is not responsible for the execution of the works without the estimate sanction. As regards the remaining works, he is entitled to payment for the portion of the works which he has completed.

In the circumstances, the Principal Chief Conservator (Forest & Management), Thiruvananthapuram is impleaded suo motu as additional third respondent in the writ petition and the writ petition is disposed of directing the additional third respondent to take a final decision as regards the payment to be made to the petitioner for the completed works as also the works which have not been completed by the petitioner. This shall be done within three weeks from the date of receipt of a copy of this judgment.