

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 18TH DAY OF MARCH 2015/27TH PHALGUNA, 1936

Con.Case(C).No. 273 of 2015 (S)

JUDGMENT IN WP(C) 33268/2014 DATED 10-12-2014

PETITIONERS/PETITIONER IN THE WPC:

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1. S.SURESH, AGED 47 YEARS
S/O.SREEDHARAN, EMPANELLED DRIVER, KSRTC
THIRUVANANTHAPURAM CITY DEPOT, THIRUVANANTHAPURAM.
 2. S.ABOOBAKER SIDHIK, AGED 38 YEARS,
S/O.SHAHUL HAMEED, EMPANELLED DRIVER, KSRTC
THIRUVANANTHAPURAM CITY DEPOT, THIRUVANANTHAPURAM.
 3. S.VENUGOPALAN NAIR, AGED 50 YEARS
S/O.SANKARA PILLAI, EMPANELLED DRIVER, KSRTC
THIRUVANANTHAPURAM CITY DEPOT, THIRUVANANTHAPURAM.

BY ADV. SRI.K.P.RAJEEVAN

RESPONDENT/1ST RESPONDET IN THE WPC:

SRI.ANTONY CHACKO
(AGE & FATHER'S NAME NOT KNOWN TO THE PETITIONERS)
MANAGING DIRECTOR
KERALA STATE ROAD TRANSPORT CORPORATION
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM
PIN - 695 023.

R. BY ADV. SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY
HEARD ON 18-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

Con.Case(C) .No. 273 of 2015 (S)

APPENDIX

PETITIONER(S) ' EXHIBITS

ANNEXURE A1: JUDGMENT IN WPC. NO. 33268 OF 2014 DATED 10/12/2014.

RESPONDENT'S EXHIBITS:

ANNEXURE R1(A): TRUE COPY OF THE ORDER ISSUED BY THE KERALA STATE
ROAD TRANSPORT CORPORATION DATED 20.2.2015 TO THE PETITIONERS.

TRUE COPY

PA TO JUDGE

Scl.

DAMA SESHADRI NAIDU, J.

C.C.(C) No. 273 of 2015

Dated this the 18th day of March, 2015.

JUDGMENT

On 10th December, 2014, this Court rendered a judgment in W.P.(C) No.33268 of 2014 holding thus:

"Recently, this Court, through its judgment dated 28.11.2014 in W.P.(C) No.30691 of 2014, made it clear that the objection of the respondent Corporation that regularisation of those who represented after 21.11.2013, when the so-called clarificatory Government orders were issued, cannot be sustained. Accordingly, in my considered view, the said objection cannot be sustained and there shall be a direction to the first respondent to regularise the services of the petitioners forthwith in terms of Exhibit P2 Government Order. It is made clear that the first respondent shall complete the entire exercise of regularising the services of the petitioners as expeditiously as possible, at any rate, within a period of six weeks from the date of receipt of a copy of this judgment."

2. Complaining of non-compliance with the judicial direction in Annexure A1 judgment, the petitioners have filed the present contempt of court case.

3. After initial delay, the respondent filed a counter

affidavit along with Annexure R1(a). On a perusal of the same, it is evident that the claim of the first and second petitioners for regularisation was rejected by the respondent Corporation; whereas, the claim of the third petitioner was accepted.

4. Under these circumstances, the learned counsel for the petitioners seeks leave of this Court to contest Annexure R1(a).

5. Needless to observe, once the respondent Corporation has passed an order in compliance with Annexure A1 judgment, the persons aggrieved thereby are always at liberty to put the order to test; it does not require any express permission from this Court. Having been satisfied that the direction in the judgment has been complied with, this Court closes the contempt of court case as having not survived for further consideration.

**Sd/-
DAMA SESHADRI NAIDU
JUDGE**

Scl.