

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYAISHTA, 1937

Con.Case(C).No. 692 of 2015 (S) IN WP(C).31433/2014

AGAINST THE ORDER IN WP(C) 31433/2014 of HIGH COURT OF KERALA DATED
27-11-2014

PETITIONERS/PETITIONERS:

1. SYAM K.V., AGED 31 YEARS,
S/O. VASU, METER READER,
K.S.E.B LIMITED, ELECTRICAL SECTION,
CHALAKUDY, THRISSUR - 680 307.
2. VINESH KUMAR K.A., AGED 37 YEARS,
S/O. K.I. AYYAPPAN,
METER READER, K.S.E.B LIMITED,
ELECTRICAL SECTION, MELUR, THRISSUR - 680 311.
3. ANTONY BINIL, AGED 35 YEARS,
S/O. JAMES, METER READER, K.S.E.B. LIMITED,
CENTRAL SECTION, POWER HOUSE ROAD,
ERNAKULAM, COCHIN - 682 018.

BY ADVS.SRI.ELVIN PETER P.J.
SRI.T.G.SUNIL (PRANAVAM)
SRI.K.R.GANESH

RESPONDENT/RESPONDENT NO.4 IN W.P.(C):

SHRI.SAJU GEORGE, AGE AND FATHER'S NAME
NOT KNOWN TO THE PETITIONER,
SECRETARY, KERALA PUBLIC SERVICE COMMISSION,
PATTOM, THIRUVANANTHAPURAM - 695 004.

R BY SRI.P.C.SASIDHARAN, SC, KPSC

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR
ADMISSION ON 27-05-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

: 2 :

APPENDIX

PETITIONERS' ANNEXURES:

- ANNEXURE A1 : TRUE COPY OF BOARD ORDER DATED 28.12.1967 ISSUED BY THE KERALA STATE ELECTRICITY BOARD.
- ANNEXURE A2 : TRUE COPY OF THE ORDER DATED 01.11.1971 ISSUED BY THE KERALA STATE ELECTRICITY BOARD.
- ANNEXURE A3 : TRUE COPY OF ORDER DATED 16.08.1973 ISSUED BY THE KERALA STATE ELECTRICITY BOARD.
- ANNEXURE A4 : TRUE COPY OF ORDER DATED 18.04.1975 ISSUED BY THE KERALA STATE ELECTRICITY BOARD.
- ANNEXURE A5 : TRUE COPY OF THE ORDER DATED 23.01.1981 ISSUED BY THE KERALA STATE ELECTRICITY BOARD.
- ANNEXURE A6 : TRUE COPY OF THE ORDER DATED 28.04.1998 ISSUED BY THE KERALA STATE ELECTRICITY BOARD.
- ANNEXURE A7 : TRUE COPY OF THE ORDER DATED 10.01.2001 ISSUED BY THE KERALA STATE ELECTRICITY BOARD.
- ANNEXURE A8 : TRUE COPY OF THE ORDER DATED 31.12.2011 ISSUED BY THE RESPONDENT.
- ANNEXURE A9 : TRUE COPY OF THE SHORT LIST PUBLISHED BY NOTIFICATION DATED 30.09.2014 ISSUED BY THE RESPONDENT.
- ANNEXURE A10 : TRUE COPY OF SCHEDULE PUBLISHED IN THE WEB SITE OF THE RESPONDENT.
- ANNEXURE A11 : TRUE COPY OF ERRATUM NOTIFICATION DATED 18.09.2012 ISSUED BY THE RESPONDENT.
- ANNEXURE A12 : TRUE COPY OF THE ORDER DATED 27.11.2014 IN W.P. (C) NO. 31433/2014 OF THIS HON'BLE COURT.
- ANNEXURE A13 : TRUE COPY OF THE ORDER DATED 16.04.2015 ISSUED BY THE RESPONDENT TO THE 1ST PETITIONER.
- ANNEXURE A14 : TRUE COPY OF THE ORDER DATED 16.04.2015 ISSUED BY THE RESPONDENT TO THE 2ND PETITIONER.
- ANNEXURE A15 : TRUE COPY OF THE ORDER DATED 16.04.2015 ISSUED BY THE RESPONDENT TO THE 3RD PETITIONER.

RESPONDENTS' ANNEXURES: NIL

//TRUE COPY//

P.A. TO JUDGE.

DAMA SESHADRI NAIDU, J.

Contempt Case (C) No. 692 of 2015
in
W.P. (C) No. 31433 of 2014

Dated this the 27th day of May, 2015.

JUDGMENT

On 27.11.2014, in W.P.(C) No. 31433 of 2014, this Court issued the following interim directions:

“Pending further orders, the fourth respondent is directed to verify the certificates of the petitioners in accordance with the schedule published in Ext.P21.”

2. Ventilating their grievance that, apart from verifying the certificates, the respondent authorities have gone further and rejected the petitioners' application on violating the interim direction, the petitioners have filed the present Contempt Case.

3. The learned counsel for the petitioners has submitted that since this Court has already seized of the issue, the respondent authorities ought to have placed the necessary materials before this Court justifying the proposal to reject the petitioner's application, instead of straight away rejecting the

application, more particularly when the matter is sub judice.

4. The learned Standing Counsel for the Kerala Public Service Commission has contended that the officials of the Commission have strictly complied with the direction of this Court and have discharged their functions in considering the application of the petitioners on merits. According to him, if the petitioners are aggrieved, they can lay proper challenge against the said rejection.

5. Heard the learned counsel for the petitioners and the learned Standing Counsel for the Kerala Public Service Commission, apart from perusing the record.

6. There is no cavil that the adjudication of contempt proceedings is quasi-criminal, thereby requiring a strict interpretation of the order alleged to have been violated. A perusal of the interim direction referred to above makes it manifestly clear that this Court has directed the respondent officials to verify the petitioners' certificates. Having verified the petitioners' certificates, the respondent officials have taken

further steps, which cannot, in my considered view, be treated as violation of the order of this Court. As has rightly been contended by the learned Standing Counsel, if the petitioners are aggrieved, they are always at liberty to take suitable remedial measures concerning the rejection of their applications by the respondent Commission.

Accordingly, the Contempt Case is closed. No order as to costs.

sd/- DAMA SESHADRI NAIDU, JUDGE.

