

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR.JUSTICE K.HARILAL**

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

OP(KAT).No. 24 of 2015 (Z)

OA 2368/2014 of KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

.....

PETITIONER(S):

**BANI.P., AGED 36 YEARS,
S/O.U.PAREETH KUNJU, KATTETHU HOUSE
KARTHIKAPPALLY P.O., ALAPPUZHA - 690 516.**

BY ADV. SRI.S.MOHAMMED AL RAFI

RESPONDENT(S):

**KERALA PUBLIC SERVICE COMMISSION, REP.BY ITS SECRETARY,
THULASI HILLS, PATTOM P.O.,
THIRUVANANTHAPURAM - 695 004.**

BY SRI.P.CSASIDHARAN, SC, KPSC

**THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP FOR ADMISSION
ON 30-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

OP(KAT).No. 24 of 2015 (Z)

APPENDIX

PETITIONER(S)' EXHIBITS :

EXT.P1: TRUE COPY OF THE O.A.NO. 2368/2014 BEFORE THE KERALA ADMINISTRATIVE TRIBUNAL.

EXT.P2: TRUE COPY OF THE ORDER DATED 15/12/2014 IN O.A.NO. 2368/2014 PASSED BY THE KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM.

EXT.P3: TRUE COPY OF THE JUDGMENT DATED 13/11/2014 IN WPC.NO. 26937/2014 ON THE FILE OF THIS COURT.

RESPONDENT(S)' EXHIBITS: NIL

OKB

//TRUE COPY//

P.A. TO JUDGE

THOTTATHIL B. RADHAKRISHNAN & K.HARILAL, JJ.

O.P.(KAT) No.24 of 2015

Dated this the 30th day of January, 2015

JUDGMENT

Thottathil B. Radhakrishnan, J.

We have heard the learned counsel for the petitioner and the learned Standing Counsel for the PSC quite in extenso.

2. The petitioner challenges a decision of the Kerala Administrative Tribunal. He applied in response to a notification of PSC inviting applications. The photo uploaded by the petitioner along with his application did not contain the date of taking the photo. That was a compulsory requisite in terms of the prescription. Though he participated in the written test, PSC ultimately rejected his application. The Tribunal refused to interfere at the instance of the petitioner, holding that the petitioner's case stands covered by the Division Bench decision of this Court in **Sasikala v. Kerala Public Service Commission [2012 (2) KLT 585]**. That decision was obviously binding on the Tribunal and has also been followed in various other cases. We see no distinction on facts to take a different view. We are also of

the view that Ext.P3 judgment has no bearing on the facts of the case in hand, more particularly because the facts considered there were totally different from the case in hand and, as observed by the learned single Judge in Ext.P3, they were also not in tune with **Sasikala's** case (supra).

3. Under the aforesaid circumstances, we do not see any legal infirmity or jurisdictional error in the impugned Ext.P2 order of the Tribunal. This original petition, therefore, fails.

In the result, this original petition is dismissed.

Sd/-

THOTTATHIL B. RADHAKRISHNAN, JUDGE

Sd/-

K.HARILAL, JUDGE

okb.