

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

FRIDAY, THE 13TH DAY OF MARCH 2015/22ND PHALGUNA, 1936

OP(KAT).No. 73 of 2015 (Z)

AGAINST THE ORDER IN OA 1594/2014 of KERALA
ADMINISTRATIVETRIBUNAL, THIRUVANANTHAPURAM DATED
29-12-2014.

PETITIONER(S)/ADDITIONAL RESPONDENTS 29,30 & 31:

1. RAJEEV V, AGED 47 YEARS,
LIVESTOCK INSPECTOR GRADE-I, VETERINARY SUB CENTRE
NJANGATTIRI, VIA.PATTAMBI, PALAKKAD-679 303.

2. SURESH BABU T.A.,
LIVESTOCK INSPECTOR GRADE-I, VETERINARY SUB CENTRE
VILAYOOR, PALAKKAD-679 309.

3. JAGATHJEEVAN T.K.,
LIVESTOCK INSPECTOR GRADE-I, VETERINARY SUB CENTRE
THENKURUSSY, PALAKKAD.

BY ADVS.DR.K.P.SATHEESAN (SR.)
SRI.M.R.JAYAPRASAD
SRI.P.MOHANDAS (ERNAKULAM)
SRI.ANOOP.V.NAIR
SRI.S.VIBHEESHANAN
SRI.N.MANU THAMPI

RESPONDENT(S)/APPLICANTS & RESPONDENTS 1 & 2:

1. MADHUSOODANAN E.V, AGED 46 YEARS,
S/O.LATE KUNHAMBU NAMBIAR,
LIVESTOCK INSPECTOR GRADE-II, ICDP SUB CENTRE,
VALIYAPOYIL, KASARAGOD-671 313,
RESIDING AT PERINGETH HOUSE, PILICODE.P.O.,
KASARAGOD, KERALA-671 310.

2. SURESH KUMAR P.R, AGED 49 YEARS,
S/O.P.RAJAPPAN, LIVESTOCK INSPECTOR GRADE-II,
ICDP SUB CENTRE, PERUVAYAL, PERUMANNA
KOZHIKODE-673 016, RESIDING AT ARCHANA,
KOTTAMPARAMBU.P.O., KOZHIKODE-673 008.

3. JAGESH KLUMAR V.V, AGED 43 YEARS,
S/O.O.P.VELAYUDHAN, LIVESTOCK INSPECTOR GRADE-II
ICDP SUB CENTRE, CHELIYA, CHENGOTTUKAVU,
KOYILANDI, KOZHIKODE-673 306, RESIDING AT OMKARAM
CHENGOTTUKAVU, KOYILANDI, KOZHIKODE,
KERALA-673 306.

4. ALPHONSE T, AGED 50 YEARS,
S/O.LATE T.D.THOMAS, LIVESTOCK INSPECTOR GRADE-II
ICDP SUB CENTRE, KOCHU THOVALA, P.O.KOCHU THOVALA
KATTAPPANA, IDUKKI-685 508, RESIDING AT THEYINKAL
SEETHATHODE.P.O., PATHANAMTHITTA-689 667.

5. STATE OF KERALA,
REPRESENTED BY ITS PRINCIPAL SECRETARY,
AGRICULTURE (ANIMAL HUSBANDRY-E) DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.

6. THE DIRECTOR,
ANIMAL HUSBANDRY DEPARTMENT, VIKAS BHAVAN,
THIRUVANANTHAPURAM-695 033.

7. KERALA PUBLIC SERVICE COMMISSION,
REPRESENTED BY ITS SECRETARY, P.S.C.OFFICE, PATTOM
THIRUVANANTHAPURAM-695 004.

BY SENIOR GOVERNMENT PLEADER SRI. S. JAMAL
BY SRI.P.C.SASIDHARAN, SC, KPSC

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME
UP FOR ADMISSION ON 13-03-2015, THE COURT ON THE SAME
DAY DELIVERED THE FOLLOWING:

OP(KAT) .No. 73 of 2015 (Z)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1- TRUE COPY OF THE NOTIFICATION PUBLISHED BY THE 7TH
RESPONDENT IN KERALA GAZETTE DATED 11.06.1991 AS CATEGORY
NO.10/91.

P2- TRUE COPY OF THE NOTIFICATION PUBLISHED BY THE 7TH
RESPONDENT IN KERALA GAZETTE DATED 13.02.1996 IN CATEGORY
NO.10/91.

P3- TRUE COPY OF THE REVISED INTER-SE COMBINED LIST
FORWARDED BY THE 7TH RESPONDENT TO THE 5TH RESPONDENT AS
PER COMMUNICATION NO.D.R.1(1) 2996/96/G.O. DATED
15.09.2008.

P4- TRUE COPY OF THE GOVERNMENT ORDER G.O. (MS)
NO.63/2009/AD DATED 21.03.2009.

P5- TRUE COPY OF THE O.A.NO.1594/2014.

P6- TRUE COPY OF THE M.A.NO.2442/2014 IN
O.A.NO.1594/2014.

P7- TRUE COPY OF THE REPLY STATEMENT FILED BY THE FIRST
RESPONDENT IN THE O.A.NO.1594/2014.

P8- TRUE COPY OF THE ORDER OF THE HON'BLE KERALA
ADMINISTRATIVE TRIBUNAL DATED 29.12.2014 IN
O.A.NO.1594/2014.

P9- TRUE COPY OF THE COMMUNICATION GIVEN BY THE 7TH
RESPONDENT TO THE DISTRICT OFFICER, ANIMAL HUSBANDRY
DEPARTMENT, MALAPPURAM DATED 22.01.2015.

RESPONDENT(S) ' EXHIBITS

NIL

//true copy//

P.S. to Judge

**THOTTATHIL B. RADHAKRISHNAN &
K. HARILAL, JJ.**

O.P. (KAT) No.73 of 2015-Z

Dated this the 13th day of March, 2015

JUDGMENT

Thottathil B. Radhakrishnan, J.

This Original Petition is filed invoking Article 227 of the Constitution of India. At the best, the petitioner can seek relief against Ext.P8 order of the Tribunal. We do not see any ground for the petitioner to collateral seek reliefs (i), (ii) and (iii) which are much above, or even different from, the subject matter of the Original Application, that was before the Tribunal and on which, Ext.P8 order was issued. We also record the submission of the learned Standing Counsel for the Kerala Public Service Commission that the P.S.C. has been impleaded as the 7th respondent in this original petition, though it was not a party before the Tribunal. The aforesaid, necessarily, indicates that the

original petition, as laid, is not maintainable.

Hence this original petition is dismissed without prejudice to the petitioners' right to challenge Ext.P8 order of the Tribunal appropriately.

Sd/-

(THOTTATHIL B. RADHAKRISHNAN, JUDGE)

Sd/-

(K. HARILAL, JUDGE)

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//true copy//

P.S. to Judge