

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN

&

THE HONOURABLE MR.JUSTICE K.HARILAL

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

OP(KAT) .No. 113 of 2015 (Z)

AGAINST THE ORDER IN OA(EKM) 182/2015 of KERALA
ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM DATED
12-02-2015.

PETITIONER/APPLICANT IN OA:

GIRISH P.G., AGED 32 YEARS,
S/O. PEETHAMBARAN N.K.,
GIRISH BHAVAN, VAYALA P.O.,
KOTTAYAM-686 587.

BY ADV. DR.K.P.PRADEEP

RESPONDENT(S)/RESPONDENTS IN OA:

1. STATE OF KERALA, REPRESENTED BY
PRINCIPAL SECRETARY TO GOVERNMENT,
HOME & POLICE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.
2. KERALA PUBLIC SERVICE COMMISSION,
THULASI HILLS, PATTOM PALACE P.O.,
THIRUVANANTHAPURAM-695 004,
REPRESENTED BY ITS SECRETARY.
3. DISTRICT OFFICER,
KERALA PUBLIC SERVICE COMMISSION,
DISTRICT OFFICE, IDUKKI.

R1 BY SENIOR GOVERNMENT PLEADER SRI. S. JAMAL

R2 & R3 BY SRI.P.C.SASIDHARAN, SC, KPSC

THIS OP (KERALA ADMINISTRATIVE TRIBUNAL) HAVING
COME UP FOR ADMISSION ON 01-04-2015, THE COURT ON THE
SAME DAY DELIVERED THE FOLLOWING:

O.P. (KAT) NO.113/2015:

APPENDIX:

PETITIONER'S EXHIBITS:

EXT.P1 - TRUE COPY OF THE MEMORANDUM OF ORIGINAL APPLICATION IN OA (EKM) NO.182 OF 2015 FILED BEFORE THE KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM AT CAMP SITTING AT ERNAKULAM.

EXT.P2 - TRUE COPY OF THE ORDER DATED 12/2/2015 IN OA (EKM)182 OF 2015 OF THE HON'BLE KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM.

//true copy//

P.S. to Judge

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

O.P. (KAT) No.113 of 2015-Z

Dated this the 1st day of April, 2015

JUDGMENT

Thottathil B. Radhakrishnan, J.

Heard the learned counsel for the petitioner and the learned legal retainer for the Kerala Public Service Commission.

2. The petitioner applied for being considered for recruitment as Police Constable Driver. The last date of receipt of applications for that post was 31/8/2011. Admittedly, as on that date, he did not possess any valid licence to drive transport vehicles. His licence had expired on 14/7/2011. It was renewed on 16/9/2011. The retrospective operation of such renewal will not extend to the date which was fixed as the last date to apply in terms of PSC's notification. Obviously, therefore, the P.S.C. cannot

be found fault for having treated the petitioner as unqualified in terms of the Notification. The learned Tribunal, therefore, was justified in dismissing the Original Application. This original petition under Article 227 of the Constitution of India therefore fails .

In the result, this original petition is dismissed.

Sd/-

(THOTTATHIL B. RADHAKRISHNAN, JUDGE)

Sd/-

(K. HARILAL, JUDGE)

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//true copy//

P.S. to Judge