

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 11TH DAY OF JUNE 2015/21ST JYAISHTA, 1937

RP.No. 452 of 2015 (J)

WP(C) 5298/2014, DATED 02-02-2015

REVIEW PETITIONER(S)/RESPONDENTS:

1. THE CHAIRMAN, COIR BOARD, COIR HOUSE,
MAHATMA GANDHI ROAD, COCHIN-682016.
2. THE COIR BOARD,
REPRESENTED BY ITS SECRETARY,
MAHATMA GANDHI ROAD, COCHIN-682016.
3. UNION OF INDIA,
REPRESENTED BY THE SECRETARY TO
THE GOVERNMENT OF INDIA, MINISTRY OF MICRO,
SMALL AND MEDIUM ENTERPRISES, NEW DELHI-110001.

BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

RESPONDENT(S)/WRIT PETITIONER:

**DR. DAS ANITHA RAVINDRANATH,
AGED 53 YEARS, W/O.DR.SREEKUMAR,
SENIOR SCIENTIFIC OFFICER,
CENTRAL COIR RESSEARCH INSTITUTE,
KALAVOR, ALAPPUZHA, PIN-688522, RESIDING AT TAPOVAN,
NO.88/GIRINAGAR NORTH EXTENSION, KOCHI-682020.**

BY SRI.T.C.GOVINDA SWAMY

**THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 11-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.MUHAMED MUSTAQUE, J.

R.P.No.452 of 2015

in

W.P.(C) No.5298 of 2014

Dated this the 11th day of June, 2015

ORDER

The review petition is filed at the instance of respondents apparently aggrieved by the direction to consider the appointment of the petitioner for the post of Director. This Court after adverting to the stand of the Union and Coir Board found that there is no impediment under law even as per the notification to appoint the second rank holder in the absence of first rank holder to fill up the post of Director.

2. The candidate's indefeasible right for consideration in accordance with the terms of the notification cannot be doubted. What is argued before this Court is that the candidates have no vested right for appointment. But in this case, overlooking the petitioner's claim for appointment, the Board have decided for fresh appointment for filling up the post of Director. When the rank list is published and the candidates are available, it is incumbent

on the part of the establishment to appoint the candidate from the select list. Nowhere, it is stipulated in the notification that the appointment offer would be made only to the person who has secured first rank in the selection.

In such scenario, the respondents are bound by notification itself to appoint a person who is otherwise eligible, in accordance with the ranking in the select list. There is no apparent error in the judgment, warranting exercise of review jurisdiction. Accordingly, the review petition is dismissed *in limine*.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

In