

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFIQUE

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

RP.No. 936 of 2015 IN WA.1950/2014

AGAINST THE JUDGMENT IN WA 1950/2014 DATED 13-08-2015

REVIEW PETITIONERS/RESPONDENTS 8 TO 12 :

1. UDAYAKUMAR P.K.,
S/O.KUMARAN, OVERSEER, ELECTRICAL SECTION
KSE BOARD LTD, CHERAI, NOW RESIDING AT POTAYIL HOUSE
EZHIKKARA.P.O, NORTH PARAVOOR.
2. UNNIKRISHNAN.S.C,
S/O.K.C.THAMPI, OVERSEER, ELECTRICAL SECTION
KSE BOARD LTD, PERINYANAM, RESIDING AT SIVAVILAS
EZHIKKARA.P.O, NORTH PARUR, ERNAKULAM.
3. CHANDRASEKHARAN.K.R,
S/O.RAMAKRISHNAN MARAR, OVERSEER(ELECTRICAL)SECTION
KSE BOARD LTD, VELOORKUNNAM
RESIDING AT KUTTIKKATTIL HOUSE
THRIKKALATHOOR.P.O.-683577.
4. V.S.UNNIKRISHNAN,
S/O.SREEDHARAN, OVERSEER, ELECTRICAL SECTION
KSE BOARD LTD, THRIKUNITHURA
NOW RESIDING AT VATHUVETIL, KUMBALAM.
5. V.MANOKUMAR,
S/O.VELAPPAN NAIR, OVERSEER, ELECTRICAL SECTION
KSE BOARD LTD., THRIKUNITHURA
NOW RESIDING AT KOONATTUR HOUSE, ERUMBANAM.P.O
THRIKUNITHURA.

BY ADVS.SRI.C.P.SUDHAKARA PRASAD (SR.)
SRI.A.J.VARGHESE

RESPONDENTS/APPELLANT & RESPONDENTS 1 TO 7 :

1. R.SUDHIR,
SUB ENGINEER TRAINEE(OVERSEER), ELECTRICAL SECTION
KSE BOARD LTD, PEYAD, TRIVANDRUM-695573.

2. KERALA STATE ELECTRICITY BOARD LIMITED
REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR
VYDHYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM-695004.
3. THE CHIEF ENGINEER,(H.R.M),
KSE BOARD, VYDHYUTHI BHAVAN, PATTOM.P.O
THIRUVANANTHAPURAM-695004.
4. KERALA PUBLIC SERVICE COMMISSION,
REPRESENTED BY ITS SECRETARY
THIRUVANANTHAPURAM-695004.
5. STATE OF KERALA,
REPRESENTED BY THE SECRETARY, DEPARTMENT OF POWER
'SECRETARIAT, THIRUVANANTHAPURAM-695001.
6. PRAMOD.T.S,
WORKING AS OVERSEER, KSE BOARD LTD, ELECTRICAL CIRCLE
KOTTAYAM, KSEB, ELECTRICAL CIRCLE
KOTTAYAM, RESIDING AT THADATHIL HOUSE, NATTAKAM
KOTTAYAM-686001.
7. AUGUSTIN.A.J,
OVERSEER, KSE BOARD LTD, ELECTRICAL SECTION
KOOTICKAL, RESIDING AT ALAKAPPARAMBIL, VELANILAM.P.O
KOOTTICKAL, KOTTAYAM, PIN-686 514.
8. ROY MATHEW, OVERSEER, ELECTRICAL SECTION,
KSE BOARD LETD., UPPUTHARA, PATTUPURA HOUSE,
Ayyappankovil P.O., Marykulam, Idukki - 685 507.

R1 BY SRI.S.RAMESH BABU (SR.)

P. RAVINDRANATH

R2 & R3 BY SRI.K.S.ANIL, SC, KSEB

R4 BY SRI.P.C.SASIDHARAN, SC, KPSC

R5 BY SR.GOVERNMENT PLEADER, SRI.P.I. DAVIS.

R7 & R8 BY SRI.GEORGE ZACHARIAH ERUTHICKEL

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
27-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ASHOK BHUSHAN, CJ & A.M.SHAFFIQUE, J

R.P. No.936 of 2015
in
W.A. No.1950 of 2014

Dated this the 27th day of October, 2015

O R D E R

Shaffique, J

This review petition has been filed by respondents 8 to 12 in Writ Appeal No.1950 of 2015 seeking to review the judgment dated 13.8.2015. The short issue raised by the learned Senior Counsel Sri. Sudhakara Prasad is that there is error apparent on the face of record as the qualification prescribed for 10% vacancies reserved for in-service candidates has not been specifically taken into consideration by this Court while the judgment was delivered. In fact, in paragraph 12 of the judgment we have clearly indicated as under :

“ The qualification apparently is mentioned in the Board order dated 28.12.1967. Therefore it is clear that the prescribed qualification in terms of Board Order dated 28.12.1967 reads with Board order dated 18.4.1975 includes Diploma holders as well as Certificate holders. In that view of the matter, KPSC was justified in issuing Ext.P18 notification.”

2. In so far as we come to the categorical finding that prescribed qualification in terms of the Board Order dated 28.12.1967 followed by the order dated 18.4.1975 includes Diploma holders and Certificate holders, which applies to the fact situation, we do not think that there is any error apparent on the face of record. Hence the grounds urged in the review petition does not warrant reconsideration of the appeal as the issue has been clearly considered in the judgment and therefore, we do not think that any of the grounds urged warrants interference and review of judgment.

Accordingly the the review petition is dismissed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFFIQUE,
JUDGE

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