

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.SURENDRA MOHAN
&
THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

WEDNESDAY, THE 11TH DAY OF NOVEMBER 2015/20TH KARTHIKA, 1937

RP.No. 1013 of 2015 () IN OP(KAT).290/2015

AGAINST THE ORDER/JUDGMENT IN OP(KAT) 290/2015

REVIEW PETITIONERS/PETITIONERS:

1. VINODKUMAR K
JUNIOR HEALTH INSPECTOR GRADE-I, P.H.C., KOTTAPPURAM
PALAKKAD DISTRICT, PIN-678 543.
2. SUNEER N
JUNIOR HEALTH INSPECTOR GRADE-I, P.H.C., KAVASSERY
PALAKKAD DISTRICT, PIN-678 543.
3. HARILAL V.S
JUNIOR HEALTH INSPECTOR GRADE-I, C.H.C.
CHERUPULASSERY, PALAKKAD, PIN-678 503.
4. SHIBU B
JUNIOR HEALTH INSPECTOR GRADE-I, P.H.C., KAVASSERY
PALAKKAD, PIN-678 543.
5. SANTHOSH KUMAR B
JUNIOR HEALTH INSPECTOR GRADE-I, C.H.C.
PAZHAMPALACODE, PALAKKAD, PIN-678 544.
6. SATHEESH KUMAR S
JUNIOR HEALTH INSPECTOR GRADE-I, P.H.C., MUTHALAMADA
PALAKKAD DISTRICT, PIN-678 507.
7. SHAJIMON C.N
JUNIOR HEALTH INSPECTOR GRADE-I, C.H.C., AGALY
MANNARKKAD, PALAKKAD. PIN-678 581
8. SUNNY K.J
JUNIOR HEALTH INSPECTOR GRADE-I, P.H.C., PALLASANA
PALAKKAD, PIN-678 505.
9. RENJITHLAL W
JUNIOR HEALTH INSPECTOR GRADE-I, C.H.C.
BEDADKA KASARAGOD, PIN-671 541.
10. BAIJU C.R
JUNIOR HEALTH INSPECTOR GRADE-I, P.H.C., MADIKA
AMBALATHARA VIA, KANHANGAD, KASARAGOD
PIN-671 531.
11. A.P.MAHINDRAN
JUNIOR HEALTH INSPECTOR GRADE-I, P.H.C., BANDADKA
KASARAGOD DISTRICT, PIN-671

12. GOPAKUMAR K.G
JUNIOR HEALTH INSPECTOR GRADE-I, P.H.C., MATTOOL
KANNUR, PIN-670 302.
13. MANOJ SAM P.S
JUNIOR HEALTH INSPECTOR GRADE-I, C.H.C., AZEEKODE
KANNUR, PIN-67 009.
14. SUDHEESH T.S
JUNIOR HEALTH INSPECTOR GRADE-I, P.H.C., KELAKAM
KANNUR, PIN-670 674.
15. MANJESH K.P
JUNIOR HEALTH INSPECTOR GRADE-I, P.H.C., KELAKAM
KANNUR, PIN-670 674
16. ANIL K.V
JUNIOR HEALTH INSPECTOR GRADE-I, P.H.C.
CHEMPAKAPPARA P.O., IDUKKI, PIN-685 514.
17. DILEEP T.V
JUNIOR HEALTH INSPECTOR GRADE-I, C.H.C., VANDIPERIYAR
IDUKKI, PIN-685 533.
18. SUNDARAM V
JUNIOR HEALTH INSPECTOR GRADE-I, C.H.C., VANDIPERIYAR
IDUKKI, PIN-685 533.
19. ANTONY P.G
JUNIOR HEALTH INSPECTOR GRADE-I, C.H.C.
VATHIKUDY UPPUTHODU P.O., IDUKKI, PIN-685 604.
20. RAJESH R
JUNIOR HEALTH INSPECTOR GRADE-I, C.H.C., ELAMDESOM
THODUPUZZHA, IDUKKI, PIN-685 588.
21. SREEJU T.S
JUNIOR HEALTH INSPECTOR GRADE-I, P.H.C., VELLATHOOVAL
IDUKKI, PIN-685 563.
22. SONY S.R
JUNIOR HEALTH INSPECTOR GRADE-I, P.H.C., KUMILY
KUMILY (PO), IDUKKI, PIN-685 509.
23. ANUPAMA S.R
JUNIOR HEALTH INSPECTOR GRADE-I, P.H.C., KUDAYATHOOR
THODUPUZZHA, IDUKKI-685 590.
24. HAREESH KUMAR A
JUNIOR HEALTH INSPECTOR GRADE-I, C.H.C., MELATOOR
MALAPPURAM, PIN-679 326.
25. VINOD KUMAR M
JUNIOR HEALTH INSPECTOR GRADE-I, C.H.C., MEPPADPY
WAYANAD, PIN-673 577.
26. ARAVIND C.K
JUNIOR HEALTH INSPECTOR GRADE-I, C.H.C., MEPPADPY
WAYANAD, PIN-673 577.

BY ADV. SRI.ELVIN PETER P.J.

RESPONDENT (S) /RESPONDENTS:

1. STATE OF KERALA
REPRESENTED BY SECRETARY
HEALTH AND FAMILY WELFARE DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM-695 001.

2. THE DIRECTOR OF HEALTH SERVICES
DIRECTORATE OF HEALTH SERVICES
GOVERNMENT HOSPITAL JUNCTION
THIRUVANANTHAPURAM-695 035.

R BY GOVERNMENT PLEADER SMT.REKHA VASUDEVAN

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

JJ

K. SURENDRA MOHAN & SHAJI P. CHALY, JJ.

R.P.No: 1013 of 2015 in
O.P(KAT) NO.290 OF 2015

Dated this the 11th November, 2015.

O R D E R

Shaji P.Chaly, J.

Heard learned counsel for the petitioners and learned government pleader. This review is filed against the judgment of this Court in OP(KAT)290/2015 dated 20.10.2015 on the ground that if a direction is not issued to the respondents to consider the claims of the petitioners in accordance with the norms laid down by the Government in Annexure A18 order, employees who have completed more than three years of service in the station continuously and are liable to be transferred from the station would not be transferred and that would cause irreparable loss and injury to the petitioners and they will not be benefited by the judgment rendered by this

Court.

2. We have gone through the pleadings in the Original Application as well as the Original Petition and we are convinced that there are no pleadings or reliefs sought for with regard to the transfer of the existing employees and transfer the petitioners to the said posts. In that view of the matter, we are not inclined to think that there is an error apparent on the face of the record so as to entertain a review petition. But at the same time we feel that the transfers are necessarily to be effected in accordance with the norms prescribed by the Government.

Therefore, we are of the view that by modifying the operative portion of the judgment, a direction should be issued to the 2nd respondent to consider the claims of the petitioners in accordance with the norms prescribed by the Government for transfer, within a period of two months. In those circumstances, the judgment is modified, by directing the 2nd respondent to consider the claim of the petitioners by

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taking into account Annexure A18 norms of transfer, within a period of two months. The judgment in OP(KAT) 290/2015 is modified to the said extent and the review petition is disposed of accordingly.

Sd/-
K. SURENDRA MOHAN
Judge

Sd/-
SHAJI P.CHALY
Judge

jj

/True copy/

P.S.to Judge