

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

TUESDAY, THE 10TH DAY OF FEBRUARY 2015/21ST MAGHA, 1936

WA.No. 1753 of 2010 ()

WP(C) 20605/2003 of THIS HONOURABLE COURT

APPELLANT/3RD PARTIES :

- 1. A.V.ASOK KUMAR, S/O.S.V.MENON,
AGED 47 YEARS, RESERVE INSPECTOR,
AR CAMP, KOCHI CITY.**
- 2. U.M.HASSAN, S/O.MUHAMMED,
AGED 50 YEARS, RESERVE INSPECTOR,
AR CAMP, ERNAKULAM RURAL.**

**BY ADVS.SRI.V.A.MUHAMMED
SRI.M.SAJJAD**

RESPONDENTS/PETITIONER AND RESPONDENTS 1 TO 5 :

- 1. SRI.J.SURESH KUMAR
OF POLICE, (NOW ON DEPUTATION AS SECURITY OFFICER,
GOVERNMENT PRESS, MANNANTHALA, THIRUVANANTHAPURAM)
(PRESENTLY WORKING AS RESERVE INSPECTOR AR CAMP
THIRUVANANTHAPURAM RURAL, PULINKUDI, MULLOOR,
P.O. VIZHINJAM - 695521)**
- 2. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS, SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
- 3. THE DIRECTOR GENERAL OF POLICE,
THIRUVANANTHAPURAM-695 010.**
- 4. THE DIG OF POLICE(ADMN),
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM-695 010.**
- 5. THE KERALA PUBLIC SERVICE COMMISSION,
REPRESENTED BY SECRETARY
KERALA PUBLIC SERVICE COMMISSION, PATTOM
THIRUVANANTHAPURAM-695 004.**

WA.No. 1753 of 2010 ()

**6. SRI.M.RAJAN,
RESERVE SUB INSPECTOR OF POLICE(NOW PROMOTED AS
RESERVE INSPECTOR OF POLICE, RURAL CAMP, PULINKUDI
THIRUVANANTHAPURAM(PRESENTLY WORKING AS
RESERVE INSPECTOR OF POLICE, ALLEPPEY-688 001.**

**R1 TO R4 & R6 BY GOVT.PLEADER SRI.C.R. SYAMKUMAR
R5 BY ADV. SRI.P.C.SASIDHARAN, SC, KPSC
BY SRI.ELVIN PETER
BY ADV. SRI.KALEESWARAM RAJ**

**THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 10-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

bp

APPENDIX

PETITIONER'S ANNEXURES :

ANNEXURE I: COPY OF THE RELEVANT PAGE OF THE NOTIFICATION.

ANNEXURE II: COPY OF THE RANKED LIST NIL.

ANNEXURE III: COPY OF THE ORDER NO. D5/20941/90 OF THE DEPUTY INSPECTOR OF POLICE DT 2/11/1990.

ANNEXURE IV: COPY OF THE S.O. NO.28/91/PTC OF THE PRINCIPAL DT 7/3/1991.

ANNEXURE V: COPY OF THE ORDER NO. 105435/91 OF THE DEPUTY INSPECTOR GENERAL DT 23/5/1992.

ANNEXURE VI: COPY OF THE ORDER NO. L5/105435/91 OF DO DT 26/2/1993.

ANNEXURE VII: COPY OF THE S.O. NO. 24/93/PTC OF THE PRINCIPAL DT 19/3/1993.

ANNEXURE VIII: COPY OF THE DGO NO. 319/94 OF THE DGP DT 2/5/1994.

ANNEXURE IX: COPY OF THE ORDER NO. A1/158/93/PC OF THE COMMISSIONER OF KOCHI CITY DT 10/1/1994.

ANNEXURE X: COPY OF THE ORDER NO. A6/13246/98/ER OF THE DEPUTY INSPECTOR GENERAL DT 18/11/1998.

ANNEXURE XI: COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN O.P.NO. 31240/20011-R DT 29/8/2006.

ANNEXURE XII: COPY OF THE ORDER F THE HON'BLE SUPREME COURT DT 8/1/2010

ANNEXURE XIII: COPY OF THE COUNTER AFFIDAVIT FILED IN WPC NO. 2060/2009 DT 4/6/2010.

ANNEXURE XIV: COPY OF THE ORDER NO. L5-21035/91 OF THE DGP D 29/7/1992.

RESPONDENT'S ANNEXURES : NIL.

//TRUE COPY//

P.A. TO JUDGE

ASHOK BHUSHAN, Ag.C.J.
&
A.M. SHAFFIQUE, J.
=====

W.A. No. 1753 of 2010
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Dated this the 10th day of February, 2015

JUDGMENT

A.M.Shaffique, J.

This appeal has been filed seeking leave of this Court by third party challenging judgment in WP(C) No.20605 of 2003.

2. We have already decided Writ Appeal No.626 of 2010, which is against the very same judgment. The directions issued in the said judgment will apply to the aforesaid appeal also.

Accordingly, the writ appeal is disposed of.

Sd-
ASHOK BHUSHAN,
ACTING CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE