

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 1936

WP(C).No. 53 of 2015 (F)

PETITIONER:

**VANIL KUMAR, AGED 39 YEARS,
S/O.VELAYUDHAN A.,
ASSISTANT ENGINEER (ELECTRICAL),
KERALA STATE ELECTRICITY BOARD,
ELECTRICAL SECTION - COLLEGE,
CLUB ROAD, ERNAKULAM.**

**BY ADVS.SRI.S.KANNAN
SMT.K.S.SANGEETHA
SMT.S.SIMY**

RESPONDENT(S):

- 1. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY,
VYDYUTHI BHAVANAM, PATTOM,
THIRUVANANTHAPURAM, PIN-695 004.**
- 2. CHIEF ENGINEER (HRM),
KERALA STATE ELECTRICITY BOARD,
VYDYUTHI BHAVANAM, PATTOM,
THIRUVANANTHAPURAM, PIN-695 004.**
- 3. DEPUTY CHIEF ENGINEER,
KERALA STATE ELECTRICITY BOARD,
ELECTRICAL CIRCLE ERNAKULAM- 682 018.**
- 4. BOBY PAUL,
ASSISTANT ENGINEER (ELECTRICAL),
KERALA STATE ELECTRICITY BOARD,
THRIKKAKARA ELECTRICAL SECTION,
KAKKANAD, ERNAKULAM - 682 017.**
- 5. ANTONY JOSE T.J.,
ASSISTANT ENGINEER (ELECTRICAL),
KERALA STATE ELECTRICITY BOARD,
ELECTRICAL SECTION, KALOOR ERNAKULAM - 682 017.**

WP(C).No. 53 of 2015 (F)

**6. JAISON A.J.,
ASSISTANT ENGINEER (ELECTRICAL),
KERALA STATE ELECTRICITY BOARD,
CENTRAL ELECTRICAL SECTION,
ERNAKULAM - 682 018.**

R1 TO R3 BY SRI.K.S.ANIL, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P1: A TRUE COPY OF THE INCUMBENCY DETAILS OF THE PETITIONER DOWNLOADED FROM THE OFFICIAL WEBSITE OF THE 1ST RESPONDENT BOARD.
- EXT.P2: A TRUE COPY OF THE BO(CM)NO.1183/2013 (EB.7/GENERAL TRANSFER/2013), DATED 30-5-2013 PRESCRIBING GUIDELINES/NORMS FOR TRANSFERS AND POSTINGS OF OFFICERS OF BOARD.
- EXT.P2(A): A TRUE COPY OF THE RELEVANT EXTRACT OF SECONDARY SCHOOL LEAVING CERTIFICATE OF THE PETITIONER.
- EXT.P3: A TRUE COPY OF THE PROCEEDINGS ENDT. ON EB1/AE/T&P/2014 DATED 24-12-2014 ISSUED BY THE 3RD RESPONDENT.
- EXT.P4: A TRUE COPY OF THE ENDT. ON EB1(A)/AE(ELE)/T&P/2014 DATED 31-12-2014 ISSUED BY THE 2ND RESPONDENT.
- EXT.P5: TRUE COPY OF THE INCUMBENCY DETAILS OF RESPONDENTS 4 TO 6 DOWNLOADED FROM THE OFFICIAL WEBSITE OF THE 1ST RESPONDENT BOARD.
- EXT.P6: A TRUE COPY OF THE REPRESENTATION DATED 01-01-2015 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT ALONG WITH POSTAL RECEIPT.

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.53 of 2015

Dated this the 6th day of January, 2015

JUDGMENT

The petitioner is presently working as Assistant Engineer (Electrical), Electrical Section-College, Ernakulam. The petitioner has been transferred to Electrical Circle, Perumbavoor. Ext.P4 is the transfer order. Challenging Ext.P4 transfer order, the petitioner has approached this Court.

2. The petitioner submits that respondents 4 to 6 are seniors to him and working in the same station for the last more than five years. The petitioner submits that in the matter of transfer, there is a discrimination and the transfer is not in accordance with the norms.

3. The learned Standing Counsel would submit that the petitioner is the native of Aluva and he has been transferred nearest station to his native place. It is further submitted that the petitioner was given the benefit of five

years considering that he belongs to Scheduled Caste Community to remain at Aluva as per the norms and the present transfer is in accordance with the norms. The petitioner is working at present station for the last more than three years and there is no infirmity in the order of transfer.

4. The petitioner has set out his detailed objection against transfer before the second respondent-Chief Engineer by Ext.P6. It is submitted that though relieving memo has been issued to the petitioner, the petitioner has not been actually relieved from the present office.

In view of the facts as above, the second respondent shall advert to Ext.P6 and take appropriate decision in the light of the objection raised by the petitioner. Needful shall be done within a period of two weeks. Till a decision is taken, the petitioner shall be permitted to continue at present station.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE