

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 19361

WP(C).No. 6957 of 2009 (L)

PETITIONERS:

1. S.P. PRADEEP,
HEAD ACCOUNTANT,
KERALA STATE LIBRARY COUNCIL
THIRUVANANTHAPURAM- 695 003.
2. L. SREEKUMARAN,
U.D.CLERK, DISTRICT LIBRARY COUNCIL OFFICE,
PATHANAMTHITTA.
3. K.S.RAJESH,
U.D.CLERK, KERALA STATE LIBRARY COUNCIL
THIRUVANANTHAPURAM-695 003.

BY ADVS.SRI.B.RAGUNATHAN
SRI.V.V.MATHEW
SRI.RADHIKA RAJASEKHARAN P.
SMT.K.N.RAJANI
SRI.R.SRINATH

RESPONDENTS:

1. STATE OF KERALA
REPRESENTED BY PRINCIPAL SECRETARY TO GOVERNMENT,
HIGHER EDUCATION DEPARTMENT, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM-695 003.
2. KERALA STATE LIBRARY COUNCIL,
REPRESENTED BY SECRETARY,
KERALA STATE LIBRARY COUNCIL
THIRUVANANTHAPURAM-695 003.
3. SHRI.S.R. LAL,
DISTRICT LIBRARY OFFICER GRADE-II
DISTRICT LIBRARY COUNCIL OFFICE, ALAPPUZHA.

R1 BY GOVERNMENT PLEADER SRI. P.V. ELIAS.
R2 BY ADV. SRI.P.V.SURENDRANATH, SC, KSLC.
R3 BY ADV. SRI.L.MOHANAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

AMG

APPENDIX

PETITIONERS' EXHIBITS

- EXT- P1- TRUE COPY OF G.O.(MS) No.44/2007/H.EDN DATED 21-03-2007.
- EXT- P2- TRUE COPY OF ORDER No.121/90 DATED 07-02-2009 OF THE 2ND RESPONDENT.
- EXT- P3- TRUE COPY OF THE ORDER No.122/90 DATED 07-02-2009 OF THE 2ND RESPONDENT.
- EXT- P4- TRUE COPY OF THE ORDER No.874/2007 DATED 19-06-2007 OF THE 2ND RESPONDENT.
- EXT- P5- TRUE COPY OF THE ORDER No.826/2008 DATED 23-06-2008 OF THE 2ND RESPONDENT.
- EXT- P6- TRUE COPY OF THE LETTER No.D2/1852/07 DATED 16-11-2007 OF THE 2ND RESPONDENT TO THE 1ST RESPONDENT.
- EXT- P7- TRUE COPY OF THE SENIORITY LIST OF THE EMPLOYEES OF THE 2ND RESPONDENT AS ON 06-01-2015
- EXT- P8- TRUE COPY OF THE ORDER DATED 22-02-2010 OF THE 2ND RESPONDENT.

RESPONDENTS' EXHIBITS

NIL

True copy

P.A. To Judge

AMG

C.K. ABDUL REHIM, J.

W.P.(c) No. 6957 OF 2009-L

DATED THIS THE 6th DAY OF JANUARY, 2015.

J U D G M E N T

The petitioners were challenging Exts.P2 & P3 orders to the extent it promoted the 3rd respondent to the post of District Library Officer Grade-II. Inter alia direction was sought for to promote the 2nd petitioner to the post of Head Accountant with all attendant benefits.

2. Learned counsel for the petitioners submits that, during pendency of this writ petition, by virtue of Ext.P8 proceedings, Exts.P2 & P3 proceedings were cancelled and the 3rd respondent was reverted to the post of Editorial Assistant. It is also conceded that the petitioners were given promotions, subsequently. Therefore the grievance voiced in this writ petition stands virtually redressed. However, on behalf of the petitioners it is pointed out that, their claim for promotion with retrospectivity ought to have considered by the 2nd respondent. It is left open to the petitioners to approach the appropriate authority raising such claims if

any and it is for the said authority to consider such claims.

3. Reserving liberty to the petitioners to pursue remedies as mentioned above, this writ petition is closed since the relief sought for has become infructuous.

Sd/-
C.K. ABDUL REHIM
JUDGE

AMG

True copy

P.A. to Judge