

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

TUESDAY, THE 3RD DAY OF FEBRUARY 2015/14TH MAGHA, 1936

WP(C).No. 3275 of 2015 (H)

PETITIONER:

J. MANOHARAN, AGED 49 YEARS, S/O. JAMES,
WORKING AS EMPANELLED CONDUCTOR,
KERALA STATE ROAD TRANSPORT CORPORATION,
VIZHINJAM DEPOT AND RESIDING AT TWINS COTTAGE,
MUKKOLA, VENGANNOOR PO, THIRUVANANTHAPURAM - 695 523.

BY ADV. SRI. N. UNNIKRISHNAN

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY
THE SECRETARY TO THE GOVERNMENT
TRANSPORT(A) DEPARTMENT,
GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM - 695001
2. KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM - 695 023
REPRESENTED BY THE CHAIRMAN & MANAGING DIRECTOR

BY GOVERNMENT PLEADER SRI. GIKKU JACOB
BY SRI. M. GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 - A TRUE COPY OF EXTRACT OF ATTENDANCE DETAILS DATED 13.03.2013 FOR THE PERIOD FROM 2000 TO 31.12.2012 ISSUED BY A.T.O., KSRTC, VIZHINJAM
- EXHIBIT P2 - A TRUE COPY OF G.O(MS) NO.78.TRAN DATED 22.12.2011
- EXHIBIT P3 - A TRUE COPY OF MEMORANDUM NO.PL.12/025739/08 DATED 11.04.2012 ISSUED BY THE 2ND RESPONDENT
- EXHIBIT P4 - A TRUE COPY OF REPRESENTATION DATED 15.3.2013
- EXHIBIT P5 - A TRUE COPY OF JUDGMENT DATED 22.3.2013 IN WP(C) NO. 8088/2013
- EXHIBIT P6 - A TRUE COPY OF ORDER NO. PL.16/014915/2012 DATED 12.06.2013
- EXHIBIT P7 - A TRUE COPY OF OUT PATENT RECORD NO. OP 80569/09 (CASUALTY) DATED 5.4.2009 ISSUED TO THE PETITIONER
- EXHIBIT P8 - A TRUE COPY OF DECISION IN SURESH KUMAR VS. STATE OF KERALA (2013 (2) KLT 258)
- EXHIBIT P9 - A TRUE COPY OF JUDGMENT DATED 12.3.2013 IN WP(C) NO. 22891/2013
- EXHIBIT P10 - A TRUE COPY OF ISSUED ORDER NO. PL.16/014915/12 DATED 16.12.2013
- EXHIBIT P11 - A TRUE COPY OF JUDGMENT DATED 19.12.2014 IN WP(C) 34507/2014 (P.R.SANIL KUMAR VS. STATE OF KERALA AND OTHERS)
- EXHIBIT P12 - A TRUE COPY OF JUDGMENT DATED 28.11.2014 IN WP(C) NO. 30691/2014 (YESWANTHA K. VS. THE MANAGING DIRECTOR, KSRTC AND OTHERS)

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 3275 OF 2015

Dated this the 3rd day of February, 2015

JUDGMENT

The issue is covered by Exts.P8 and P12 judgments relating to regularisation of empanelled workers. The services of the petitioner is therefore liable to be regularised in the wake of Ext.P1 attendance details and Ext.P2 Government Order. Ext.P10 order negating the claim of the petitioner is accordingly quashed.

2. The respondents are directed to regularise the services of the petitioner within a period of eight weeks from the date of production of a copy of this judgment. Needless to say that the regularisation is to be done in the post of Conductor Gr.II.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd