

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 11TH DAY OF FEBRUARY 2015/22ND MAGHA, 1936

WP(C).No. 6696 of 2013 (J)

PETITIONER

**SAJIKUMAR T.G , AGED 33 YEARS
S/O.GOPINATHAN PILLAI, NJAKKANAL, KRISHNAPURAM P.O.
ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.M.SASINDRAN
SRI.S.SHYAM KUMAR**

RESPONDENT(S):

- 1. THE KERALA STATE ELECTRICITY BOARD
REP. BY ITS SECRETARY, VAIDHYUTHI BHAVAN, PATTOM
THIRUVANANTHAPURAM - 695 001.**
- 2. THE CHIEF ENGINEER (HRM) KERALA STATE ELECTRICITY BOARD
VAIDHYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM 695001**

R BY SRI.K.S.ANIL, SC, KSEB

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
11-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S) EXHIBITS

- EXT.P-1 A TRUE COPY OF THE ADVICE MEMO DATED 10.10.2005**
- EXT.P-2 A TRUE COPY OF THE MEMO DATED 3.1.2006 GRANTING
EXTENSION OF TIME FOR JOINING IN THE SERVICE.**
- EXT.P-3 A TRUE COPY OF THE JUDGEMENT DATED 4.6.2012 IN WPC
NO.1332 OF 2010.**
- EXT.P-4 A TRUE COPY OF THE ORDER DATED 16.5.2012 REFERRED TO IN
EXT.P3 ALONG WITH THE FINAL GRADATION LIST OF METER
READERS WHO WERE APPOINTED BETWEEN 11.2.2003 TO
31.1.2008.**
- EXT.P-5 A TRUE COPY OF THE ORDER DATED 3.2.2011 PROMOTING THE
METER READERS TO THE POST OF SUB ENGINEER (ELE)
ALONG WITH THE RELEVANT EXTRACTS FROM THE LIST OF
PROMOTEES.**
- EXT.P-6 A TRUE COPY OF THE COMMUNICATION DATED 4.1.2011
ISSUED BY THE BOARD TO THE SUBORDINATE OFFICERS.**
- EXT.P-7 A TRUE COPY OF THE REPRESENTATION DATED 5.2.2011
SUBMITTED BY THE PETITIONER BEFORE THE 2ND
RESPONDENT.**
- EXT.P-8 A TRUE COPY OF THE REPRESENTATION DATED 22.1.2013
SUBMITTED BY THE PETITIONER BEFORE THE 2ND
RESPONDENT.**

RESPONDENTS EXHIBITS

NIL

TRUE COPY

P.A TO JUDGE

SMM

A.V.RAMAKRISHNA PILLAI,J

.....
W.P.C. No.6696 of 2013

.....
Dated this the 11th day of February,2015.

J U D G M E N T

The petitioner is working as Meter Reader in Kerala State Electricity Board. He was advised by the PSC for the post as per Ext.P1 dated 10-10-2005. He joined service on 9-1-2006. According to the petitioner, he has completed 5 years on 10-10-2010 based on effective advise. His grievance is that Ext.P5 promotion order dated 3-2-2011 did not contain the name of the petitioner, where his juniors were included in the list as evident from Ext.P4 gradation list.

2. The petitioner alleges that there is no justification in not promoting the petitioner by Ext.P5 since he has completed 5 years service. According to the petitioner, if the date of effective advise is reckoned he has completed 5 years on 10-10-2010, and even based on the date of joining he has completed 5 years on 9-1-2011. The petitioner points out that 5 years of completion of service in the post of Meter Reader is required for promotion to the post of Sub Engineer.

3. The learned Counsel for the petitioner invited my attention to Ext.P3 judgment and Ext.P4 order which would show that seniority has been reckoned based on the date of advise by the Public Service Commission. The petitioner further points out that Ext.P7 and P8 representation has been preferred, complaining about the arbitrariness in the matter of promotion and the same has not been considered so far.

In the light of the materials placed on record, this writ petition is disposed of, directing the respondent Board to consider and pass orders on Exts.P7 and P8 representations in the light of Ext.P3 judgment and P4 order, after affording the petitioner an opportunity of being heard. This shall be done within a period of two months from the date of receipt of a copy of this judgment. To facilitate an earlier action, it shall be open to the petitioner to produce a copy of the judgment along with copies of Ext.P3 judgment and P4 before the respondent Board at the earliest.

**A.V.RAMAKRISHNA PILLAI,
JUDGE**

