

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE V.CHITAMBARESH**

**WEDNESDAY, THE 5TH DAY OF AUGUST 2015/14TH SRAVANA, 1937**

**WP(C).No. 5303 of 2015 (K)**  
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**PETITIONER:**  
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**SURESH KUMAR M.,  
AGED 38 YEARS, S/O.MADHAVAN PILLAI,  
PULLIKKUDIPUTHEN VEEDU,  
KUCHAPPURAM, AMACHAL P.O.  
KULATHAMAL VILLAGE,  
KATTAKKADA TALUK.**

**BY ADVS.SRI.S.V.PREMAKUMARAN NAIR  
SRI.R.T.PRADEEP  
SMT.P.S.ANJU**

**RESPONDENTS:**  
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- 1. KERALA STATE ROAD TRANSPORT CORPORATION,  
REPRESENTED BY ITS MANAGING DIRECTOR  
TRANSPORT BHAVAN, THIRUVANANTHAPURAM-695004.**
- 2. MANAGING DIRECTOR,  
KERALA STATE ROAD TRANSPORT CORPORATION  
TRANSPORT BHAVAN, THIRUVANANTHAPURAM-695004.**
- 3. EXECUTIVE DIRECTOR(ADMINISTRATION),  
KERALA STATE ROAD TRANSPORT CORPORATION  
OFFICE OF THE MANAGING DIRECTOR, TRANSPORT BHAVAN  
THIRUVANANTHAPURAM-695004.**
- 4. MECHANICAL ENGINEER(WORKS),  
KERALA STATE ROAD TRANSPORT CORPORATION  
OFFICE OF MECHANICAL ENGINEER, CENTRAL WORKS  
PAPPANAMCODE, THIRUVANANTHAPURAM-695004.**

**BY SRL.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
05-08-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**DCS**

**APPENDIX**

**PETITIONER(S)' EXHIBITS**

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- EXT.P1: TRUE COPY OF APPOINTMENT ORDER DATED 4.9.2014 ISSUED BY THE 1ST RESPONDENT.**
- EXT.P2: TRUE COPY OF THE SPECIMEN COPY OF ATTESTATION FORM.**
- EXT.P3: TRUE COPY OF M.C.NO.10/2014 FILED BEFORE JFMC-1 NEYYATTINKARA.**
- EXT.P4: TRUE COPY OF THE ORDER DATED 22.2.2014 IN C.M.P.NO.1556/2014 IN M.C.NO.10/2014 PASSED BY JFMC-1 NEYYATTINKARA.**
- EXT.P5: TRUE COPY OF THE OBJECTION NILL DATED IN M.C. NO.10/2014 FILED BEFORE JFMC-1, NEYYATTINKARA.**
- EXT.P6: TRUE COPY OF THE MEMORANDUM DATED 11.9.2014 BY 1ST RESPONDENT.**
- EXT.P7: TRUE COPY OF THE POLICE VERIFICATION REPORT DATED 13.1.2015.**
- EXT.P8: TRUE COPY OF THE MEMORANDUM DATED 11.2.2015 BY WHICH THE SERVICE OF PETITIONER IS TERMINATED.**
- EXT.P9: TRUE COPY OF THE REPRESENTATION DATED 13.2.2015 BY PETITIONER BEFORE 2ND RESPONDENT.**

**RESPONDENT(S)' EXHIBITS:- NIL**

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**/TRUE COPY/**

**P.A. TO JUDGE**

**DCS**

**V. CHITAMBARESH, J**

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**W.P.(C). NO. 5303 OF 2015**  
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Dated this the 5<sup>th</sup> day of August, 2015

**JUDGMENT**

The petitioner was not obliged to divulge the pendency of a case registered under the Protection of Women from Domestic Violence Act, 2005 in Ext. P2 attestation form. A reading of Ext. P2 attestation form indicates that only the pendency of a criminal case registered under the Indian Penal Code on the file of a police station need be divulged. Moreover the case registered under the Protection of Women from Domestic Violence Act, 2005 has since been terminated as withdrawn.

2. The services of the petitioner should not have been dispensed with by Ext. P8 memorandum even without any prior notice. I quash Ext. P8 memorandum and direct the respondents to regularise the services of the petitioner pursuant to reinstatement in service.

Needless to say that the salary and other consequential benefits shall also be disbursed to the petitioner without delay.

The writ petition is disposed of.

**V. CHITAMBARESH  
JUDGE**

DCS