

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 23RD DAY OF MARCH 2015/2ND CHAITHRA, 1937

WP(C).No. 5566 of 2015 (U)

PETITIONER(S):

VINOD KARIMANI, FIRST GRADE ASSISTANT, DISTRICT KHADI &
VILLAGE INDUSTRIES OFFICE,
WAYANAD, KALPATTA, WAYANAD - 673 721.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENT(S):

1. KERALA KHADI & VILLAGE INDUSTRIES BOARD REPRESENTED BY
THE SECRETARY, KERALA KHADI & VILLAGE INDUSTRIES BOARD
THIRUVANANTHAPURAM- 695 001.

2. THE PROJECT OFFICER, DISTRICT KHADI & VILLAGE INDUSTRIES
OFFICE, WAYANAD.

3. BAIJU T., FIRST GRADDE ASSISTANT, DISTRICT KHADI &
VILLAGE INDUSTRIES OFFICE, KALPATTA, WAYANAD - 673 721.

R3 BY ADV. SMT.P.S.PREETHA

R1 BY ADV. SRI.TOM K.THOMAS, SC KERALA KHADI & VILLAGE
VILLAGE INDUSTRIES BOARD.

R BY SRI.TOM K.THOMAS, SC KERALA KHADI & VILLAGE INDUSTRIES
BOARD VILLAGE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
23-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.5566/2015

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE TRANSFER ORDER DATED 30/1/2015.

EXT.P2: COPY OF G.O.(P) NO.13/2000 DATED 27/4/2000

EXT.P3: COPY OF UNDATED OBJECTION TOGETHER WITH COVERING LETTER DATED 9/2/2015 ISSUED BY THE 2ND RESPONDENT.

EXT.P4: COPY OF THE CCASTE CERTIFICATE DATED 2/7/2002.

RESPONDENTS EXHIBITS:

EXT.R1(A): COPY OF THE RELEVANT PORTION OF THE REGULATION OF KERALA KHADI AND VILLAGE INDUSTRIES BOARD (CLASSIFICATIONS AND CONDITIONS OF RECRUITMENT OF STAFF) REGULATIONS 2006.

EXT.R1(B): COPY OF THE ORDER DATED 26/6/2014.

EXT.R1(C): COPY OF THE ORDER OF THE BOARD VIDE PROCEEDINGS NO. KB/1533/2000/E1(A) DATED 26/7/2000.

/RUE COPY/ P.S. TO JUDGE.

WP(C).No. 5566 of 2015 (U)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1: TRUE COPY OF THE TRANSFER ORDER DATED 30/01/2015.

EXT.P2: TRUE COPY OF G.O.(P)NO.13/2000 DATED 27/04/2000

EXT.P3: TRUE COPY OF UNDATED OBJECTION TOGETHER WITH COVERING LETTER
DATED 09/02/2015 ISSUED BY THE 2ND RESPONDENT.

EXT.P4: TRUE COPY OF THE CASTE CERTIFICATE DATED 02/07/2002.

RESPONDENT(S) ' EXHIBITS

-----"

EXT.R1(A): COPY OF THE RELEVANT PORTION OF THE REGULATION OF KERALA
KHADI AND VILLAGE INDUSTRIES BOARD (CLASSIFICATIONS AND CONDITIONS OF
RECRUITMENT OF STAFF) REGULATIONS 2006.

EXT.R1(B): COPY OF THE ORDER DATED 26/6/2014.

EXT.R1(C): COPY OF THE ORDER OF THE BOARD VIDE PROCEEDINGS NO.
KB/1533/2000/E1(A) DATED 26/7/2000.

/TRUE COPY/

PS. TO JUDGE.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No. 5566 OF 2015

Dated this the 23rd day of March, 2015

JUDGMENT

The petitioner is presently working as First Grade Assistant in the District Khadi & Village Industries Board at Wayanad. Petitioner approached this Court challenging Ext.P1 order transferring him to Kozhikode. The petitioner submits that the 3rd respondent has already made a request for transferring him to Kozhikode. But, ignoring that request, the petitioner has been ordered to transfer to Kozhikode. It is further stated that the petitioner is a Scheduled Tribe and he is entitled to remain at Wayanad in terms of the relevant Government Order. The petitioner has highlighted his grievance before the first respondent vide Ext.P3.

2. I am of the view that it is all matters for the consideration of the first respondent after taking into account administrative exigency. This Court, at this juncture, cannot interfere with the transfer order.

3. In view of the above facts and circumstances, there

shall be a direction to the first respondent to consider Ext.P3 within a period of three weeks from the date of receipt of a copy of this judgment. The interim order already granted by this Court will continue till then.

The writ petition is disposed of as above.

Sd/-

**A.MUHAMED MUSTAQUE,
Judge.**

dpk

/True copy/ PS to Judge.

