

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 24TH DAY OF FEBRUARY 2015/5TH PHALGUNA, 1936

WP(C).No. 5707 of 2015 (K)

PETITIONER:

**VINEETHA M, SENIOR ASSISTANT,
KERALA STATE ELECTRICITY BOARD,
ELECTRICAL SECTION, VELLIMADUKUNNU,
MARYKUNNU P.O., KOZHIKODE.**

**BYSRI.K.JAJU BABU (SENIOR ADVOCATE)
ADV. SMT.M.U.VIJAYALAKSHMI**

RESPONDENT(S):

- 1. KERALA STATE ELECTRICITY BOARD,
VYDHUTHI BHAVAN, PATTOM,
THIRUVANANTHAPURAM - 695 004,
REPRESENTED BY ITS SECRETARY.**
- 2. THE CHIEF ENGINEER,
KERALA STATE ELECTRICITY BOARD,
VYDHUTHI BHAVAN, PATTOM,
THIRUVANANTHAPURAM - 695 004.**

BY SRI.K.S.ANIL, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT. P1 : COPY OF THE ORDER NO.EB3(B)/333/PROMOTION/2012 DATED 3-4-2013 ISSUED BY 2ND RESPONDENT.

EXT. P2 : COPY OF THE ORDER NO.EB3(B)/333/PROMOTION 2014 DATED 26-2-2014 ISSUED BY 2ND RESPONDENT.

EXT. P3 : COPY OF THE CERTIFICATE NO.1608/13 DATED 15-2-2013 ISSUED BY THE KERALA PUBLIC SERVICE COMMISSION.

EXT. P4 : COPY OF THE REPRESENTATION DATED 31-1-2015 PREFERRED BY THE PETITIONER BEFORE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C)No.5707 of 2015

Dated this the 24th day of February, 2015

JUDGMENT

The petitioner while working as Assistant under the Kerala State Electricity Board, had acquired all the necessary test qualifications for promotion as Senior Assistant. However, on the ground that the certificate of passing the test conducted by the Public Service Commission in “Elements of Commercial Accounts and Book Keeping” was not available, she was not considered for promotion in the year 2012 and her juniors were promoted as per Ext.P1. Subsequently, the petitioner was promoted as Senior Assistant as per Ext.P2. The petitioner submits that she was fully qualified as on the last date of submission of proforma on 5.12.2012. It is further submitted that since the result of the test for “Elements of Commercial Accounts & Book Keeping” was published only on

5.12.2012, she has subsequent qualification as on the date of occurrence of vacancy. Therefore, she was entitled for promotion with effect from the date on which her juniors have been given promotion. The petitioner highlighting her grievance made Ext.P4 representation before the second respondent. The only limited request made before this Court is for an early disposal of Ext.P4.

In view of the above, there shall be a direction to the second respondent to dispose Ext.P4 after affording an opportunity of hearing to the petitioner within a period of two months.

This writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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