

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 10TH DAY OF MARCH 2015/19TH PHALGUNA, 1936

WP(C).No. 16598 of 2005 (A)

PETITIONER(S):

1. **C. KUNHUNNY,**
SELECTION GRADE ASSISTANT,
KERALA AGRICULTURAL UNIVERSITY, ACADEMIC WING,
KERALA AGRICULTURAL UNIVERSITY HEADQUARTERS,
KERALA AGRICULTURAL UNIVERSITY P.O., TRICHUR.
2. **C. GOPI,**
SELECTION GRADE ASSISTANT,
KERALA AGRICULTURAL UNIVERSITY,
PRESENTLY WORKING IN KELAPPAJI COLLEGE
OF AGRICULTURAL ENGINEERING AND TECHNOLOGY,
TAVANUR, MALAPPURAM DISTRICT.

BY ADV. SRI.P.C.SASIDHARAN.

RESPONDENT(S):

1. **STATE OF KERALA,**
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
AGRICULTURE (FARMS) DEPARTMENT, SECRETARIAT,
TRIVANDRUM.
2. **KERALA AGRICULTURAL UNIVERSITY,**
REPRESENTED BY ITS REGISTRAR,
KERALA AGRICULTURAL UNIVERSITY CAMPUS P.O.,
TRICHUR-680 656.

R1 BY GOVT. PLEADER SMT.SUNITHA VINOD.

R2 BY ADV. SRI.BABU JOSEPH KURUVATHAZHA,SC.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 10-03-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE ORDER ISSUED BY THE AGRICULTURAL UNIVERSITY TO THE PETITIONER NO.1 DATED 26/05/1989.
- EXT.P2 COPY OF THE ORDER ISSUED BY THE AGRICULTURAL UNIVERSITY REGULARISING THE SERVICE OF THE PETITIONERS DATED 20/02/1991.
- EXT.P3 COPY OF THE CERTIFICATE ISSUED BY THE PUBLIC SERVICE COMMISSION TO THE FIRST PETITIONER DATED 31/01/1991.
- EXT.P3A COPY OF THE CERTIFICATE ISSUED BY THE P.S.C. TO THE FIRST PETITIONER DATED 06/01/1992.
- EXT.P4 COPY OF THE CERTIFICATE ISSUED BY THE P.S.C. TO THE 2ND PETITIONER DATED 01/03/1991.
- EXT.P4A COPY OF THE CERTIFICATE ISSUED BY THE P.S.C. TO THE 2ND PETITIONER DATED 06/12/1991.
- EXT.P5 COPY OF THE SENIORITY LIST PUBLISHED BY THE AGRICULTURAL UNIVERSITY DATED 31/01/2004.
- EXT.P6 COPY OF THE SENIORITY LIST PUBLISHED BY THE AGRICULTURAL UNIVERSITY DATED 07/04/2004.
- EXT.P7 COPY OF THE ORDER ISSUED BY THE GOVERNMENT G.O.(P) NO.32/90/ P&ARD DATED 10/09/1990.
- EXT.P8 COPY OF THE REPRESENTATION SUBMITTED BY THE 2ND PETITIONER TO THE REGISTRAR OF THE AGRICULTURAL UNIVERSITY DATED 27/09/2004.
- EXT.P9 COPY OF THE REPLY SUBMITTED BY THE AGRICULTURAL UNIVERSITY TO THE FIRST PETITIONER DATED 09/03/2005.
- EXT.P10 COPY OF THE PROCEEDINGS ISSUED BY THE AGRL. UNIVERSITY DATED 07/05/2005.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.16598 of 2005

Dated this the 10th day of March, 2015

JUDGMENT

This writ petition is filed claiming the benefit of Rule 13A of the General Rules of the Kerala State and Subordinate Service Rules claiming exemption for promotion to the post of Assistant Grade-II.

2. It is submitted by the learned Standing Counsel for the University that the petitioners are entitled for the benefit.

In view of the above, the writ petition is disposed of upholding the right of the petitioners in terms of the above Rule to consider for promotion. The petitioners are also entitled for all consequential benefits.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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