

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 28TH DAY OF JANUARY 2015/8TH MAGHA, 1936

WP(C).No. 9445 of 2011 (E)

PETITIONER:

**V.MOHANAN,S/O. KRISHNAN
CONDUCTOR (EMPANEL),
KERALA STATE ROAD TRANSPORT CORPORATION
CHALAKKUDY DEPOT, THRISSUR.**

BY ADV. SRI.LIJU. M.P

RESPONDENTS:

- 1. THE MANAGING DIRECTOR, KSRTC
KERALA STATE ROAD TRANSPORT CORPORATION
THIRUVANANTHAPURAM - 695 007**
- 2. THE ASSISTANT TRANSPORT OFFICER,
OFFICE OF THE ASSISTANT TRANSPORT OFFICER
KERALA STATE ROAD TRANSPORT CORPORATION, CHALAKKUDY
THRISSUR - 680 307**

**BY ADVS. SRI. M. GOPIKRISHNAN NAMBIAR, SC, KSRTC
SRI.BABU JOSEPH KURUVATHAZHA, SC, KSRTC
SRI.V.V.NANDAGOPAL NAMBIAR, SC, KSRTC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
28-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 9445 of 2011 (E)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : COPY OF THE MEMORANDUM NO. E-136/2000/CLDY DATED 23.05.2000
ISSUED BY 2ND RESPONDENT**
- P2 : COPY OF THE RECEIPT FOR RS. 3000/- DATED 24.05.2000**
- P3 : COPY OF THE MEMORANDUM NO. E1 - 139/02/CLDY DATED 29.06.2002**
- P4 : COPY OF THE REPORT DATED 20.09.2010 ISSUED FROM GOVERNMENT
MEDICAL COLLEGE, THRISSUR**
- P5 : COPY OF THE O.P. TICKET DATED 24.12.2010**
- P6 : COPY OF THE PETITION DATED 28.12.2010 SUBMITTED BY PETITIONER
BEFORE THE 2ND RESPONDENT**
- P7 : COPY OF THE RECEIPT DATED 14.02.2011**
- P8 : COPY OF THE PETITION DATED 14.02.2011 SUBMITTED BY PETITIONER
BEFORE THE 1ST RESPONDENT**
- P9: COPY OF THE ACKNOWLEDGMENT CARD**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 9445 OF 2011

Dated this the 28th day of January, 2015

JUDGMENT

The respondents have no case in the statement filed by them that the petitioner refused to discharge his duty though offered. The only case is that the petitioner rendered 11 duties during the month of November 2010, 6 duties during the month of January 2011, 9 duties during the month of February 2011, and 19 duties during the month of March 2011. The petitioner cannot be blamed if no duty could be assigned to him even though he was willing to discharge his function.

2. The decision to deduct Rs. 1,000/- every month from the security deposit of the petitioner is arbitrary. The respondents are restrained from effecting such deduction for the months aforesated. The sum of Rs. 1,000/- deposited by the petitioner under Ext. P7 receipt shall also be reimbursed to him within two months.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS