

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 1ST DAY OF DECEMBER 2015/10TH AGRAHAYANA, 1937

W.P.(C).No.18137 of 2005 (H)

PETITIONER(S):

L. VINAYAN, L.D. CLERK,
VAZHIKKADAVU GRAMA PANCHAYAT MALAPPURAM,
ON DEPUTATION AS L.D. CLERK,
KERALA MOTOR TRANSPORT WORKERS WELFARE FUND BOARD,
CHIEF EXECUTIVE OFFICE, KOLLAM.

BY ADVS.SRI.ELVIN PETER P.J.
SRI.S.RAMESH
SRI.P.N.SANTHOSH
SRI.NAVEEN.T
SRI.T.G.SUNIL (PRANAVAM)
SRI.C.X.ANTONY BENEDICT.

RESPONDENT(S):-

1. THE DIRECTOR OF PANCHAYATS,
THIRUVANANTHAPURAM.
2. THE DEPUTY DIRECTOR OF PANCHAYAT
MALAPPURAM.
3. THE DISTRICT OFFICER,
ECONOMICS & STATISTICS DEPARTMENT, KOZHIKODE.

R1 TO R3 BY GOVERNMENT PLEADER SRI.T.R.RAJESH.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
01-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

APPENDIX

PETITIONER(S)' EXHIBITS:-

- EXT.P1 TRUE COPY OF ORDER NO.EB2/2145/95/DSD.
DATED 26.7.99 OF THE 3RD RESPONDENT (RELEVANT EXTRACT).
- EXT.P2 TRUE COPY OF ORDER NO.A3-6868/2000(2) DT.27.1.2001 OF
THE 2ND RESPONDENT.
- EXT.P3 TRUE COPY OF JUDGMENT DT.7.3.2003 IN SESSIONS CASE
NO.556/2000 OF SESSIONS COURT, KOLLAM.
- EXT.P4 TRUE COPY OF REPRESENTATION DT.18.9.2003 FILED BY
THE PETITIONER BEFORE THE 3RD RESPONDENT.
- EXT.P5 TRUE COPY OF COMMUNICATION DT.18.9.2003 SENT BY
THE DIST. EXE. OFFICER, K.M.T.W.W.F.B., KOLLAM.
- EXT.P6 TRUE COPY OF REPRESENTATION DT.18.9.2003 SENT BY
THE PETITIONER BEFORE THE 2ND RESPONDENT.
- EXT.P7 TRUE COPY OF COMMUNICATION DT.18.09.2003 SENT BY THE
DIST. EXE. OFFICER, K.M.T.W.W.F.B., KOLLAM.
- EXT.P8 TRUE COPY OF REPRESENTATION DT.17.2.2004 FILED BY
THE PETITIONER BEFORE THE 3RD RESPONDENT.
- EXT.P9 TRUE COPY OF COMMUNICATION DT.17/2/2004 SENT BY THE
DIST. EXE. OFFICER, K.M.T.W.W.F.B., KOLLAM.
- EXT.P10 TRUE COPY OF RELEVANT EXTRACT OF THE SENIORITY LIST
OF L.D.CLERKS IN THE PANCHAYATDEPT.
- EXT.P11 TRUE COPY OF CERTIFICATE DT 20.09.2003 ISSUED BY THE PSC.
- EXT.P12 TRUE COPY OF CERTIFICATE DT 20.9.2003 ISSUED BY THE
P.S.C.NO.16066/2003.
- EXT.P13 TRUE COPY OF CERTIFICATE DT 20.9.2003 ISSUED BY THE
PSC NO.16067/2003.
- EXT.P14 TRUE COPY OF ORDER NO.E4-666/05 (2) DATED 13.5.2005 ISSUED
BY THE 1ST RESPONDENT.
- EXT.P15 TRUE COPY OF LETTER NO.1523/SB/VR/1999-Q DATED 9.12.2005
SENT BY THE SUPERINTENDENT OF POLICE, KOLLAM TO THE
DY.DIRECTOR OF PANCHAYAT,MALAPPURAM.

RESPONDENT(S)' EXHIBITS:-

NIL.

Vku/-

[true copy]

K. Vinod Chandran, J

W.P.(C).No.18137 of 2005-H

Dated this the 01st day of December, 2015

JUDGMENT

The petitioner sought for regularisation of his service as Lower Division Clerk in the Panchayat Department. The petitioner was not regularised since there was a criminal case pending against the petitioner. In any event, bringing forth certain subsequent events, the petitioner filed I.A.No.18720 of 2005, wherein this Court passed an interim order dated 14.02.2006, directing consideration of the claim for regularisation. As of now the writ petition cannot be continued here, since the subject matter is one exclusively allotted to the Kerala Administrative Tribunal. Be that as it may, since there is an interim direction issued, there is no reason why the writ petition itself should be transferred. The writ petition would stand closed, however leaving open all contentions of the petitioner, if the petitioner has challenged the order consequent to the interim order. There shall be no order as to costs.

Sd/-

K.Vinod Chandran
Judge.

vkul/-

[true copy]