

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 30TH DAY OF MARCH 2015/9TH CHAITHRA, 1937

WP(C).No. 8945 of 2015 (P)

PETITIONER(S):

SREEJITH R.S., AGED 30 YEARS
S/O.K SASI, SASI SADANAM, PUNNOOR THADATHARIKATH VEEDU
KARAKULAM P.O, THIRUVANANTHAPURAM

BY ADV. SRI.H.SHAJILKHAN

RESPONDENT(S):

1. THE SECRETARY, KERALA PUBLIC SERVICE COMMISSION,
PATTOM,THIRUVANANTHAPURAM 695 004
2. ASST.LABOUR OFFICE,ATTINGAL,THIRUVANANTHAPURAM PIN 695 101
3. ADMINISTRATIVE OFFICER
KSRTC,PAPPANAMKODE,THIRUVANANTHAPURAM - 695 008.

R BY GOVERNMENT PLEADER SRI.GIKKU JACOB.
R BY SRI.P.C.SASIDHARAN, SC, KPSC
R BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 TRUE COPY OF NOTIFICATION PUBLISHED BY 1ST RESPONDENT DATED
30/12/2009

EXHIBIT P2 TRUE COPY OF SHORTLIST PUBLISHED BY 1ST RESPONDENT DATED
17/01/2014

EXHIBIT P3 TRUE COPY OF INTIMATION LETTER ISSUED BY THE 1ST RESPONDENT
DATED 30/01/2014

EXHIBIT P4 TRUE COPY OF SSLC CERTIFICATE OF THE PETITIONER

EXHIBIT P5 TRUE COPY OF NATIONAL TRADE CERTIFICATE

EXHIBIT P6 TRUE COPY OF EXPERIENCE CERTIFICATE ISSUED BY THE 3RD
RESPONDENT

EXHIBIT P7 TRUE COPY OF RANK LIST CAME INTO EFFECT ON 23/10/2014

EXHIBIT P8 TRUE COPY OF WITHHELD LIST

EXHIBIT P9 TRUE COPY OF REPRESENTATION MADE BY THE PETITIONER

EXHIBIT P10 TRUE COPY OF REJECTION LETTER ISSUED BY THE 1ST RESPONDENT

RESPONDENT(S)' EXHIBITS :

EXT.R1(a) TRUE COPY OF THE JUDGMENT IN OP(KAT) 3013 OF 2014.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.8945 of 2015

Dated this the 30th day of March, 2015

J U D G M E N T

The issue is covered by the judgment dated 12.3.2015 in W.P(C) No.33110/2014. An attempt is made to distinguish this case contending that the petitioner was on empanelled basis only. Empanelled basis only means that the petitioner was chosen from the panel of Blacksmiths maintained. The stint of service has been reckoned only with reference to the number of actual days worked. I do not find any reason to discard the experience certificate relied on by the petitioner. Only the subjective satisfaction of the countersigning officer that matters in cases of this nature.

2. The judgment in W.P.(C) No.33110/2014 concluded as follows:-

“5. I do feel that the petitioners cannot be eschewed from the zone of consideration on that count. The experience certificates produced by them shall be treated as valid for the recruitment in question. The name of the petitioners shall be included in the ranked list published by the Kerala State Road Transport Corporation. This however shall not affect the position of the persons already included in the ranked list. This

is because none of the persons in the ranked list have been included in a representative capacity.”

3. The same directions will govern the case of the petitioner also.

The writ Petition is disposed of accordingly.

Sd/-
V.CHITAMBARESH,
Judge.

nj.