

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. 9231 of 2015 (D)

PETITIONER:

V. BABY, AGED 54 YEARS, S/O. VASUDEVAN,
WORKING AS EMPANELLED DRIVER,
KERALA STATE ROAD TRANSPORT CORPORATION,
KAYAMKULAM DEPOT AND RESIDING AT
SNEHALAYAM, MELAMEL BHAGAM,
KAREELAKULANGARA P.O., ALAPPUZHA 680 502.

BY ADV. SRI. N. UNNIKRISHNAN

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY
THE SECRETARY TO THE GOVERNMENT
TRANSPORT (A) DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM-695 001.
2. KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM-695 023
REPRESENTED BY THE CHAIRMAN & MANAGING DIRECTOR.
3. THE ASSISTANT TRANSPORT OFFICER,
KERALA STATE ROAD TRANSPORT CORPORATION,
KAYAMKULAM - 690 502.

BY GOVERNMENT PLEADER SRI. GIKKU JACOB
BY SRI. M. GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30-03-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : A TRUE COPY OF STATEMENT OF ATTENDANCE DETAILS IN RESPECT OF THE PETITIONER FOR THE PERIOD FROM 05/2000 TO 11/2008 EXCEPT THE PERIOD FROM 5/2002 TO 12/2002 ISSUED BY THE 3RD RESPONDENT
- EXHIBIT P2 : A TRUE COPY OF STATEMENT OF ATTENDANCE DETAILS IN RESPECT OF THE PETITIONER FOR THE PERIOD FROM 01/2011 TO 01/2012 BY THE A.T.O. HARIPAD.
- EXHIBIT P3 : A TRUE COPY OF STATEMENT OF ATTENDANCE DETAILS FOR THE PERIOD FROM 5/2002 TO 12/2002 WHEN HE HAD WORKED IN KARUNAGAPPALLY, ISSUED BY A.T.O., KSRTC, KARUNAGAPPALLY.
- EXHIBIT P4 : A TRUE COPY OF IDENTIFICATION CERTIFICATE DATED 17.04.2012 ISSUED BY THE 3RD RESPONDENT
- EXHIBIT P5 : A TRUE COPY OF G.O.(MS) NO./78/2011/TRAN DATED 22.12.2011.
- EXHIBIT P6 : A TRUE COPY OF CONSEQUENTIAL MEMORANDUM NO. PL.12/025739/08 DATED 11.04.2012 ISSUED 2ND RESPONDENT
- EXHIBIT P7 : A TRUE COPY OF JUDGMENT DATED 03.04.2013 IN SURESHKUMAR VS. STATE OF KERALA 2013(2) KLT 258.
- EXHIBIT P8 : A TRUE COPY OF REPRESENTATION DATED 05.09.2012 FILED BEFORE THE SECOND RESPONDENT
- EXHIBIT P9 : A TRUE COPY OF JUDGMENT DATED 18.03.2012 IN WP(C) NO. 7437/2013.
- EXHIBIT P10 : A TRUE COPY OF THE ORDER NO. PL16/014915/2012 DATED 12.06.2013.
- EXHIBIT P11 : A TRUE COPY OF JUDGMENT DATED 03.10.2013 IN WP(C) NO. 23209/2013 (M.K. PRASANAN AND ANOTHER VS. STATE OF KERALA AND ANOTHER)
- EXHIBIT P12 : A TRUE COPY OF THE JUDGMENT DATED 19.12.2014 IN WP(C) NO. 34507/2014
- EXHIBIT P13 : A TRUE COPY OF THE JUDGMENT DATED 29.01.2015 IN WP(C) NO. 2394/2015

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 9231 OF 2015

Dated this the 30th day of March, 2015

JUDGMENT

The issue is covered by the judgment dated 28.11.2014 in WP(C) No. 30691/2014. The services of the petitioner are therefore liable to be regularised in the light of Exts.P1, P2 and P3 attendance details and Ext.P5 Government Order.

2. Ext.P10 order refusing regularisation is accordingly quashed. The respondents are directed to regularise the services of the petitioner (as driver) accordingly. The same shall be done within a period of six weeks from the date of production of a copy of this judgment.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd