

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

WP(C).No. 11133 of 2015 (N)

PETITIONERS:

1. O.J.PETER, CONDUCTOR (SPL. GRADE),
KSRTC, PERUMBAVOOR DEPOT,
PERUMBAVOOR, ERNAKULAM.
2. C.I. ROY, CONDUCTOR (SPL. GRADE),
KSRTC, KOTHAMANGALAM DEPOT,
KOTHAMANGALAM, ERNAKULAM.
3. V.S. SURESH KUMAR, CONDUCTOR (SPL. GRADE),
KSRTC, PAPPANAMCODE DEPOT, PAPPANAMCODE
THIRUVANANTHAPURAM.
4. T.K. VENUGOPALA KURUP, CONDUCTOR (SPL. GRADE),
KSRTC, THIRUVALLA DEPOT, THIRUVALLA, PATHANAMTHITTA.
5. S. VENUGOPAN, CONDUCTOR (SPL. GRADE),
KSRTC, VIZHINJAM DEPOT, VIZHINJAM,
THIRUVANANTHAPURAM.
6. T.R. JAYASCHANDRAN, CONDUCTOR (SPL. GRADE),
KSRTC, THIRUVANANTHAPURAM CENTRAL DEPOT,
THIRUVANANTHAPURAM.
7. P.V. THAMPI, CONDUCTOR (SPL. GRADE),
KSRTC, PERUMBAVOOR DEPOT,
PERUMBAVOOR, ERNAKULAM.
8. V.P. CHARLY JOSE, CONDUCTOR (SPL. GRADE),
KSRTC, ALUVA DEPOT, ALUVA, ERNAKULAM.

BY ADV. SRI.K.P.RAJEEVAN

RESPONDENTS:

1. KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, FORT,
THIRUVANANTHAPURAM PIN 695 023.

2. DISTRICT TRANSPORT OFFICER,
KSRTC, PERUMBAVOOR DEPOT,
PERUMBAVOOR, ERNAKULAM.
3. ASSISTANT TRANSPORT OFFICER,
KSRTC, KOTHAMANGALAM DEPOT,
KOTHAMANGALAM, ERNAKULAM PIN 686 691.
4. DISTRICT TRANSPORT OFFICER, KSRTC,
PAPPANAMCODE DEPOT, PAPPANAMCODE,
THIRUVANANTHAPURAM PIN 695 018.
5. DISTRICT TRANSPORT OFFICER, KSRTC,
THIRUVALLA DEPOT, PATHANAMTHITTA 689 101.
6. DISTRICT TRANSPORT OFFICER, KSRTC,
VIZHINJAM DEPOT, VIZHINJAM,
THIRUVANANTHAPURAM 695 521.
7. DISTRICT TRANSPORT OFFICER, KSRTC,
THIRUVANANTHAPURAM CENTRAL DEPOT,
THIRUVANANTHAPURAM PIN 695 001.
8. DISTRICT TRANSPORT OFFICER, KSRTC,
ALUVA DEPOT, ALUVA, ERNAKULAM 683 101.
9. STATE OF KERALA REPRESENTED BY
ITS SECRETARY, TRANSPORT DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM 695 001.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07-04-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : A TRUE COPY OF MEMORANDUM DATED 19.03.2001 ISSUED BY THE DTO, ALUVA DEPOT
- EXHIBIT P2 : TRUE COPIES OF COVER PAGE, PAGES 8, 13 AND 17 OF THE BILATERAL AGREEMENT PUBLISHED BY THE GOVT. AS PER GO(P) NO. 26/09/TRANDATED 13.02.2009.
- EXHIBIT P3 : TRUE COPY OF JUDGMENT DATED 06.08.2012 IN WP(C) NO. 18402 OF 2012.
- EXHIBIT P4 : TRUE COPY OF JUDGMENT DATED 16.07.2012 IN WP(C) NO. 14255 OF 2012.
- EXHIBIT P5 : TRUE COPY OF MEMORANDUM DATED 11.12.2012 ISSUED BY THE CHAIRMAN AND MANAGING DIRECTOR OF THE KSRTC.
- EXHIBIT P6 : TRUE COPY OF MEMORANDUM DATED 29.10.2014 ISSUED BY THE CHAIRMAN AND MANAGING DIRECTOR OF THE KSRTC
- EXHIBIT P7 : A TRUE COPY OF JUDGMENT REPORTED IN 2005 (2) KLJ 602.
- EXHIBIT P8 : A TRUE COPY OF JUDGMENT DATED 20.02.2015 IN W.A. NO. 150 OF 2010.
- EXHIBIT P9 : TRUE COPY OF THE REPRESENTATION DATED 28.02.2015 SUBMITTED BY THE PETITIONERS BEFORE THE 1ST RESPONDENT.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 11133 OF 2015

Dated this the 7th day of April, 2015

JUDGMENT

The petitioners claim seniority and promotion to the post of station master on the basis of the date on which they were promoted to the post of I Grade Conductor. They rely on Ext.P2 bilateral agreement as well as Ext.P8 judgment in W.A. No. 150/2010. Ext.P9 representation submitted by the petitioners in this regard is pending with the first respondent.

2. I direct the first respondent to consider Ext.P9 representation with notice to the petitioners. The needful shall be done within a period of two months from the date of production of a copy of this judgment.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd