

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 27TH DAY OF JANUARY 2015/7TH MAGHA, 1936

WP(C).No. 14993 of 2011 (Y)

PETITIONER:

**DR.K.R.SALIN, ASSISTANT PROFESSOR,
(SENIOR SCALE), KERALA AGRICULTURAL UNIVERSITY,
KUMARAKOM, (UNDER ORDERS OF TRANSFER TO
COLLEGE OF FISHERIES, PANANGAD, UNDER THE
KERALA UNIVERSITY OF FISHERIES AND OCEAN
STUDIES PANANGAD) RESIDING AT NO.6F, ASTER,
SKYLINE RIVERDALE, PETTA, THRIPPUNITHURA.**

**BY ADVS.SRI.S.P.PARAVINDAKSHAN PILLAY
SMT.N.SANTHA
SRI.K.A.BALAN
SRI.PETER JOSE CHRISTO
SRI.S.A.ANAND**

RESPONDENT(S):

- 1. KERALA UNIVERSITY OF FISHERIES AND
OCEAN STUDIES, REPRESENTED BY ITS REGISTRAR,
PANANGAD P.O., KOCHI, PIN-682 506.**
- 2. KERALA AGRICULTURAL UNIVERSITY,
REPRESENTED BY ITS REGISTRAR, MAIN CAMPUS,
KAU P.O., VELLANIKKARA, THRISSUR, PIN-680 654.**
- 3. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT,
FISHERIES DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM, PIN-695 001.**

**R1 BY SRI.MILLU DANDAPANI, SC
R2 BY SRI.K.P.MUJEEB, SC
R3 BY GOVERNMENT PLEADER SMT.LOWSYA**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 27-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

mbr/

APPENDIX

PETITIONER'S EXHIBITS:

- EXHIBIT P1 :** TRUE COPY OF THE ORDER NO.GA/C2/33104/2005(1-20)
DATED 7.10.2005 OF THE REGISTRAR, KERALA AGRICULTURAL
UNIVERSITY.
- EXHIBIT P2 :** TRUE COPY OF THE ORDER NO.F5/1565/10 DATED 6.3.2010 OF THE
DEAN IN CHARGE OF FISHERIES COLLEGE, PANANGAD.
- EXHIBIT P3 :** TRUE COPY OF THE ORDER NO.GA/C3/8759/11 DATED 21.3.2011 OF
THE REGISTRAR, KERALA AGRICULTURAL UNIVERSITY.
- EXHIBIT P4 :** TRUE COPY OF THE NOTIFICATION IN G.O.(P) NO.50/2011/F&PD
DATED 10.5.2011.
- EXHIBIT P5 :** TRUE COPY OF THE MINUTES OF THE MEETING HELD ON 16.4.2011 BY
THE AGRICULTURAL PRODUCTION COMMISSIONER.
- EXHIBIT P6 :** TRUE COPY OF THE OPTION DATED 28.2.2011 SUBMITTED TO THE
VICE CHANCELLOR OF KERALA AGRICULTURAL .
- EXHIBIT P7 :** TRUE COPY OF THE ORDER NO.GA/C3/8759/2011(I) DATED 23.5.2011
OF KAU.
- EXHIBIT P8 :** TRUE COPY OF THE ORDER NO.KVK-ESTT-716/2005
DATED 25.5.2011 OF THE PROGRAMME COORDINATOR.
- EXHIBIT P9 :** TRUE COPY OF THE LETTER DATED 30.5.2011 OF THE PETITIONER TO
THE REGISTRAR, KUFOS.
- EXHIBIT P10 :** TRUE COPY OF THE NO.KUFOS F1/1505/10 DATED 1.6.2011 OF THE
REGISTRAR OF THE UNIVERSITY.
- EXHIBIT P11 :** TRUE COPY OF THE LETTER NO.KUFOS F1/1505/10 DATED 1.6.2011 OF
THE REGISTRAR KUFOS TO THE 1ST RESPONDENT.
- EXHIBIT P12 :** TRUE COPY OF THE ORDER NO.GA/C3/8759/11 DATED 9.5.2011 OF THE
KAU.
- EXHIBIT P13 :** TRUE COPY OF THE ORDER NO.GA/A2/40714/10 DATED 7.5.2011 OF
THE KAU.
- EXHIBIT P14 :** TRUE COPY OF THE ORDER NO.GA/A1/3014/2011 DATED 7.5.2011 OF
THE KAU.
- EXHIBIT P15 :** TRUE COPY OF THE ORDER NO.GA/B1/9549/2011 DATED 7.5.2011 OF
THE KAU.
- EXHIBIT P16 :** TRUE OCPY OF THE COVERING LETTER DATED 4.6.2011.

WP(C).No. 14993 of 2011 (Y)

- EXHIBIT P17 : TRUE COPY OF GOVERNMENT LETTER NO.6210/B1/2011/F&PD
DATED 1.7.2011.
- EXHIBIT P18 : TRUE COPY OF GOVERNMENT LETTER NO.6210/B1/2011/F&PD
DATED 23.6.2011.
- EXHIBIT P19 : TRUE COPY OF LETTER NO.KUFOS/F1/1421/11 DATED 27.5.2011 OF
THE VICE CHANCELLOR ADDRESSED TO GOVERNMENT.
- EXHIBIT P20 : TRUE COPY OF GOVERNMENT LETTER NO.5982/B1/2011/F&PD
DATED 18.7.2011 ADDRESSED TO THE REGISTRARS OF THE 1ST AND
2ND RESPONDENT UNIVERSITY.
- EXHIBIT P21 : TRUE COPY OF ORDER NO.KUFOS-GA/F1/1565/10 DATED 7.6.2011 OF
THE REGISTRAR OF THE UNIVERSITY.
- EXHIBIT P22 : TRUE COPY OF THE SUBMISSION DATED 2.11.2011.
- EXHIBIT P23 : TRUE COPY OF THE REPRESENTATION DATED 28.11.2011
SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.
- EXHIBIT P24 : TRUE COPY OF NOTE NO.GA5/1565/11 DATED 6.12.2011 OF THE
REGISTRAR.
- EXHIBIT P25: TRUE COPY OF GOVERNMENT LETTER NO.15869/AF2/2011/AD
DATED 23.8.2011.
- EXHIBIT P26 : TRUE COPY OF CIRCULAR NO.GA.E2/27917/10 DATED 5.9.2011 OF THE
REGISTRAR OF THE UNIVERSITY.
- EXHIBIT P27 : TRUE COPY OF THE CIRCULAR NO.GA1/2853/2011 DATED 13.9.2011
THE REGISTRAR, KERALA UNIVERSITY OF FISHERIES AND OCEAN
STUDIES.
- EXHIBIT P28 : TRUE COPY OF CIRCULAR NO.GA2/3126/11 DATED 23.9.2011 OF THE
REGISTRAR, KERALA UNIVERSITY OF FISHERIES AND OCEAN
STUDIES.
- EXHIBIT P29 : TRUE COPY OF FORM FOR OPTION TO JOIN THE SERVICE OF
KERALA UNIVERSITY OF FISHERIES & OCEAN STUDIES.

RESPONDENT'S EXHIBITS:

- EXT.R1(A) : TRUE COPY OF THE ORDER NO.KUFOS-GA-1/1565/10 DATED 7.6.2011
ISSUED BY THE 1ST RESPONDENT.
- EXT.R1(B) : TRUE COPY OF THE TRANSFER ORDER NO.GA/C3/8759/2011(I)
DATED 26.2011 ISSUED BY THE 2ND RESPONDENT.

WP(C).No. 14993 of 2011 (Y)

EXT.R1(C) : TRUE COPY OF THE ORDER NO.KUFOS-GA/1585/11 DATED 30.5.2011.

**EXT.R1(D) : PHOTOCOPY OF ORDER NO.13653/AF2/2001/AD. DATED 4.6.2011
ISSUED BY THE 3RD RESPONDENT TO THE 1ST RESPONDENT.**

/TRUE COPY/

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.
=====

W.P(C).No.14993 of 2011
=====

Dated this the 27th day of January, 2015

JUDGMENT

Learned Standing Counsel for the University submits that pursuant to the interim direction from this Court, petitioner was permitted to join duty as per order dated 19.12.2011.

2. In view of the above, nothing further survives in this Writ Petition. Therefore, impugned orders are quashed. Petitioner has been posted to the Kerala University of Fisheries and Ocean Studies as per Ext.P1. This order was passed on 23.05.2011. Petitioner has submitted that he was reported on duty on 30.05.2011.

In view of the above, petitioner's service shall be considered as deemed service with effect from 30.05.2011 for all service benefits including salary.

The Writ Petition is disposed of.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

Sbna/27/01/15