

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFIQUE

WEDNESDAY, THE 11TH DAY OF NOVEMBER 2015/20TH KARTHIKA, 1937

WP(C).No. 14925 of 2014 (M)

PETITIONER :

**SREE LATHA V.,
ANALYST (QUALITY CONTROL),
KERALA KERA KARSHAKA SAHAKARANA
FEDERATION LTD NO. 4370,
KARUNAGAPPALLY, KOLLAM DISTRICT.**

**BY SRI.N.N.SUGUNAPALAN,SENIOR ADVOCATE
ADV.SRI.S.SUJIN**

RESPONDENT(S):

- 1. KERALA KERA KARSHAKA SAHAKARANA FEDERATION LTD,
OFFICE OF THE KERA FED, WATER WORKS COMPOUND,
VELLAYAMBALAM, THIRUVANANTHAPURM - 695 010,
REPRESENTED BY ITS MANAGING DIRECTOR.**
- 2. THE MANAGING DIRECTOR,
KERALA KERA KARSHAKA SAHAKARANA FEDERATION LTD,
HEAD OFFICE, VELLAYAMBALAM, THIRUVANANTHAPURAM-695 010**
- 3. STATE OF KERALA,
REPRESENTED BY ITS CHIEF SECRETARY TO GOVT.,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001**

**R1 & R2 BY ADV. SRI.GEORGE POONTHOTTAM, SC, KERA FED
R3 BY SR GOVERNMENT PLEADER SRI.E.M.ABDUL KHADIR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 11-11-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

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APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT-P1- TRUE COPY OF THE APPOINTMENT ORDER DATED 07/10/1999 ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER.
- EXHIBIT-P2- TRUE COPY OF THE ORDER PASSED ON 03/03/2014 BY THE ADMINISTRATIVE OFFICER OF THE FIRST RESPONDENT.
- EXHIBIT-P3- TRUE COPY OF THE ORDER PASSED ON 12/03/2014 BY THE ADMINISTRATIVE OFFICER OF THE FIRST RESPONDENT.
- EXHIBIT-P4- TRUE COPY OF THE COMMUNICATION DATED 09/05/2014 ISSUED BY THE ADMINISTRATIVE OFFICER OF THE FIRST RESPONDENT TO THE PETITIONER.
- EXHIBIT-P5- TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE MANAGING DIRECTOR OF FIRST RESPONDENT DATED 08/05/2014.
- EXHIBIT-P6- TRUE COPY OF THE ORDER DATED 05/06/2000 MANAGING DIRECTOR, KERAFED
- EXHIBIT-P7- TRUE COPY OF THE ORDER DATED 26/02/2001 MANAGING DIRECTOR, KERAFED
- EXHIBIT-P8- TRUE COPY OF THE ORDER DATED 10/08/2001 MANAGING DIRECTOR, KERAFED
- EXHIBIT-P9- TRUE COPY OF THE ORDER DATED 12/08/2005 MANAGING DIRECTOR, KERAFED
- EXHIBIT-P10- TRUE COPY OF THE ORDER DATED 06/11/2006 MANAGING DIRECTOR, KERAFED.
- EXHIBIT-P11- TRUE COPY OF THE ORDER DATED 26/09/2007 MANAGING DIRECTOR, KERAFED
- EXHIBIT-P12- TRUE COPY OF THE ORDER DATED 30/10/2007 MANAGING DIRECTOR, KERAFED
- EXHIBIT-P13- TRUE COPY OF THE ORDER DATED 24/01/2008 MANAGING DIRECTOR, KERAFED
- EXHIBIT-P14- TRUE COPY OF THE ORDER DATED 21/02/2008 MANAGING DIRECTOR, KERAFED
- EXHIBIT-P15- TRUE COPY OF THE LETTER DATED 23/06/2008

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

sts

P.S.TO JUDGE

A.M. SHAFFIQUE, J.

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W.P. (C) No. 14925 of 2014

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Dated this, the 11th day of November, 2015

J U D G M E N T

Petitioner has approached this Court seeking for a direction to consider her request for regularisation in the service of KERAFED and for consequential orders. It is submitted that the petitioner was appointed as an Analyst by Ext.P1 order dated 7/10/1999 for a period of 179 days. The said process of issuing orders were being continued until now with an artificial break in service. When several employees of the KERAFED were being regularized by the Government, petitioner submitted Ext.P5 request to the Managing Director, KERAFED for considering her for regularisation. Since no orders were passed by the Government, this writ petition has been filed.

2. It is submitted by respondents 2 and 3 that they have already forwarded recommendation to the Government as per letter dated 19/2/2015.

3. Learned senior Counsel Sri.N.N.Sugunapalan,

appearing on behalf of the petitioner submits that 100 casual workers were regularised in KERAFED in 2008 and recently Smt.Sukumari, Head of Office was also regularised. It is submitted that there are two sanctioned posts of which one post is already filled up and in the other post, petitioner has been working on the aforesaid arrangement. Though the KERAFED has invited applications for the said post, there were no applicants and therefore it is a fit case in which Government, which is the authority to approve the appointments, can regularise the service of the petitioner.

4. Facts being so, I am of the view that it is for the Government to consider whether the petitioner's service could be regularised, as according to the petitioner, a sanctioned post is already available in the KERAFED.

In the said circumstances, this writ petition is disposed of as under;

Petitioner shall submit a fresh representation to the

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-:3:-

Government in terms with Ext.P5, which shall be considered by the 3rd respondent within a period of three months from the date of receipt of a copy of this judgment.

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp
11/11/2015

//True Copy//

P.S to Judge