

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

WP(C).NO. 14789 OF 2015 (W)

PETITIONER(S):

1. SREEJESH T.V,
ASST. SALESMAN, TALUK DEPOT, HOSDURG
KANNHANGAD P.O., KASARAGOD DIST- 671315.

2. PREETHA M.P
ASST. SALESMAN, SALESMAN, SABARI SUPER MARKET
KOTTACHERY, KANHANGAD P.O., KASARAGOD DIST - 671315.

3. SREENATH
ASST. SALESMAN IN CHARGE OF OUTLET, MAVELISTORE
KOLICHAL, RAJAPURAM P.O., KASARAGOD DIST. - 671 532.

4. MADANAN K
ASST. SALESMAN IN CHARGE OF OUTLET, MAVELISTORE
ERIKKULAM, ERIKKULAM P.O., KASARAGOD DIST - 671314.

5. SREEKUMRI K.V
ASST. SALESMAN, SUPER MAKRET NILESHWAR, NILESHWAR P.O.
KASARAGOD DISTRICT - 671 314.

6. MADHUSUDHANAN V
ASST. SALESMAN, MAVELISTORE, UDINOOR CENTRAL
UDINOOR P.O., KASARAGOD DISTRICT - 671349.

7. USHA P.V
ASST.SALESMAN, MAVELISTORE, CHEEMENI
CHEEMANI P.O., KASARAGOD DISTRICT - 671 313.

8. NITHYA K.K
ASST. SALESMAN, MAVELISTORE, CHITTARIKKAL
KASARAGOD DISTRICT - 671 314.

BY ADVS.SRI.MURALI PALLATH
SRI.MAHESH V RAMAKRISHNAN
SRI.JAPA BALAN OLIVER

RESPONDENT(S):

1. THE STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
FOOD AND CIVIL SUPPLIES DEPARTMENT
GOVT. SECRETARIAT, THIRUVANANTHAPURAM - 695 001.

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2. THE MANAGING DIRECTOR
KERALA STATE CIVIL SUPPLIES CORPORATION LTD
ERNAKULAM, KOCHI - 682 020.

3. THE REGIONAL MANAGER
KERALA STATE CIVIL SUPPLIES CORPORATION LTD
REGIONAL OFFICE, KOZHIKODE
KOZHIKODE DISTRICT - 673 004.

R2-R3 BY ADV. SMT.MOLLY JACOB,SC,SUPPLYCO
BY GOVERNMENT PLEADER SMT.LOWSY.A

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
28-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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APPENDIX

PETITIONER(S) ' EXHIBITS

P1 - TRUE COPY OF THE GO(MS) NO. 29/97/F&CSD DT. 26.7.97.

P2 - TRUE COPY OF THE GO(MS) NO. 30/2010/F&CSD DT. 04.9.10.

P3 - TRUE COPY OF GO(MS) NO. 27/2011/F&CSD DT. 06.7.11.

P4 - TRUE COPY OF QUESTIONNAIRE AND REPLY RECEIVED UNDER RTI ACT.

P5 - TRUE CPY OF DRAFT COMMON SERVICE RULES 2014.

P6 - TRUE COPY OF REPRESENTATION DT. 05.5.15 SUBMITTED BY THE 1ST PETITIONER TO THE 1ST RESPONDENT

P7 - TRUE COPY OF REPRESENTATION DT. 05.5.15 SUBMITTED BY THE 2ND PETITIONER TO THE 1ST RESPONDENT.

P8 - TRUE COPY OF REPRESENTATION DT. 05.5.15 SUBMITTED BY THE 3RD PETITIONER TO THE 1ST RESPONDENT.

P9 - TRUE COPY OF REPRESENTATION DT. 05.5.15 SUBMITTED BY THE 4TH PETITIONER TO THE 1ST RESPONDENT.

P10 - TRUE COPY OF REPRESENTATION DT. 05.5.15 SUBMITTED BY THE 5TH PETITIONER TO THE 1ST RESPONDENT.

P11 - TRUE COPY OF REPRESENTATION DT. 05.5.15 SUBMITTED BY THE 6TH PETITIONER TO THE 1ST RESPONDENT.

P12 - TRUE COPY OF REPRESENTATION DT. 05.5.15 SUBMITTED BY THE 7TH PETITIONER TO THE 1ST RESPONDENT.

P13 - TRUE COPY OF REPRESENTATION DT. 05.5.15 SUBMITTED BY THE 8TH PETITIONER TO THE 1ST RESPONDENT.

RESPONDENT(S) ' EXHIBITS:NIL

//TRUE COPY//

P.A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.14789 of 2015

.....
Dated this the 28th day of July, 2015

J U D G M E N T

The petitioners, who are working as Assistant Salesman and seek promotion to the post of Junior Assistant in the respondent Corporation, are aggrieved by the inaction on the part of the respondents in effecting promotions in the higher posts, pursuant to which alone there will be vacancies created in the lower post of Junior Assistant to which the petitioners can aspire for promotion. On account of the delay in effecting promotions at the higher level the petitioners have approached the 1st respondent through Exts.P6 to P13 representations, and the limited prayer in the writ petition is for a direction to the 1st respondent to consider and pass orders on Exts. P6 to P13 representations after hearing them.

2. I have heard the learned counsel for the petitioners and the learned Government Pleader for the respondents.

On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose the writ petition with a direction to the 1st respondent to consider and pass orders on Exts. P6 to P13 representations preferred by the petitioners, within a

period of three months from the date of receipt of a copy of this judgment, after hearing the petitioners. The petitioners shall produce a copy of the writ petition together with copy of this judgment before the 1st respondent for further action.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

