

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 22ND DAY OF MAY 2015/1ST JYAISHTA, 1937

WP(C).No. 14966 of 2015 (U)

PETITIONER(S):

K.PREMKUMAR, AGED 50 YEARS
S/O.KRISHNAN, WORKING AS EMPANELLED DRIVER
KERALA STATE ROAD TRANSPORT CORPORATION
NEDUMANGAD AND RESIDING AT PRATEESH BHAVAN
KALLUVARAMBU, MUTHUVILLA P.O.
THIRUVANANTHAPURAM DISTRICT - 695 610

BY ADV. SRI.N.UNNIKRISHNAN

RESPONDENT(S):

1. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, TRANSPORT (A) DEPARTMENT, GOVERNMENT SECRETARIATE, THIRUVANANTHAPURAM -695 001.
2. KERALA STATE ROAD TRANSPORT CORPORATION TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM - 695 023, REPRESENTED BY THE CHAIRMAN AND MANAGING DIRECTOR.
3. THE EXECUTIVE DIRECTOR (ADMINISTRATION) KERALA STATE ROAD TRANSPORT CORPORATION TRANSPORT BHAVAN, FORT THIRUVANANTHAPURAM - 695 023.
4. THE DISTRICT TRANSPORT OFFICER, OFFICE OF THE DISTRICT TRANSPORT OFFICE, NEDUMANGAD, THIRUVANANTHAPURAM - 695 541.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) No. 14996 OF 2015

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : A TRUE COPY OF CASH RECEIPT NO.017914 DATED 13.12.1996
ISSUED BY THE UNIT OFFICE.
- EXHIBIT P2 : A TRUE COPY OF STATEMENT OF ATTENDANCE DETAILS DATED
25.9.2013 ISSUED BY THE UNIT OFFICER.
- EXHIBIT P3 : A TRUE COPY OF CERTIFICATE DATED 14.5.2008 ISSUED BY
THE FOURTH RESPONDENT.
- EXHIBIT P4 : A TRUE COPY OF STATEMENT OF ATTENDANCE DETAILS FOR
THE PERIOD FROM 1996 TO 2014 ISSUED BY THE UNIT
OFFICER.
- EXHIBIT P5 : A TRUE COPY OF MEMO NO.E2/2754/01/NDD DATED
27.3.2002.
- EXHIBIT P6 : A TRUE COPY OF GO.(MS) NO.78/2011/TRAN DATED
22.12.2011.
- EXHIBIT P7 : A TRUE COPY OF JUDGMENT DATED 19.11.2013 IN W.P.(C)
NO.27290 OF 2013
- EXHIBIT P8 : A TRUE COPY OF REPRESENTATION DATED 10.2.2015
WITHOUT ANNEXURES.

RESPONDENT(S) EXHIBITS

NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.14966 of 2015

Dated this the 22nd day of May, 2015

J U D G M E N T

The petitioner seeks regularisation in service as driver. The petitioner asserts that he has put in more than 15 years of service in the Kerala State Road Transport Corporation. This is inclusive of the period from 29.9.2008 to 13.3.2012 during which the petitioner was disengaged from duty.

2. The petitioner points out that such disengagement was on account of an involvement in an accident. But no enquiry was conducted or the guilt established leading to the readmission of the petitioner to duty. The petitioner therefore reiterates his claim for regularisation in service.

3. The respondents contend that the petitioner does not have 10 years of duty to his credit if the period from 29.9.2008 to 13.3.2012 is eschewed. That is a matter to be considered by the second respondent before whom the issue is pending. The petitioner has submitted Ext.P8 representation seeking regularisation highlighting the facts aforestated. I direct the second respondent to consider Ext.P8

representation with notice to the petitioner within a period of two months.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.