

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 19TH DAY OF JANUARY 2015/29TH POUSHA, 1936

WP(C) .No. 18747 of 2012 (P)

PETITIONER:

SHERLY SAM, AGED 53 YEARS
W/O RAJAN, PRESS MANAGER WITH FULL ADDITIONAL CHARGE
KERALA AGRICULTURAL UNIVERSITY PRESS, MANNUTHY
THRISSUR DISTRICT.

BY ADV. DR.GEORGE ABRAHAM

RESPONDENTS:

1. KERALA AGRICULTURAL UNIVERSITY,
VELLANIKKARA, THRISSUR, REPRESENTED BY ITS REGISTRAR.
2. THE EXECUTIVE COMMITTEE,
REPRESENTED BY VICE CHANCELLOR,
KERALA AGRICULTURAL UNIVERSITY
VELLANIKKARA, THRISSUR.
3. THE DIRECTOR OF EXTENSION EDUCATION,
KERALA AGRICULTURAL UNIVERSITY, VELLANIKKARA
THRISSUR.

R BY SRI.BABU JOSEPH KURUVATHAZHA, SC, KERALA AGRICULTURA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
19-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT P1: TRUE COPY OF THE APPOINTMENT ORDER DATED 24.9.1982 ISSUED TO THE PETITIONER.

EXHIBIT P2: TRUE COPY OF THE PROCEEDINGS OF THE KERALA AGRICULTURAL UNIVERSITY DATED 6.2.2006.

EXHIBIT P3: TRUE COPY OF THE PROCEEDINGS OF THE 3RD RESPONDENT DATED 10.2.2006.

EXHIBIT P4: TRUE COPY OF THE ORDER OF THE 1ST RESPONDENT DATED 22.4.2006.

EXHIBIT P5: TRUE COPY OF PETITIONER'S REPRESENTATION DATED 23.9.2005.

EXHIBIT P6: TRUE COPY OF COMMUNIATION ISSUED BY THE 1ST RESPONDENT DATED 23.9.2011.

EXHIBIT P7: TRUE COPY OF PETITIONER'S REPRESENTATION DATED 10.11.2011.

EXHIBIT P8: TRUE COPY OF PETITIONER'S REPRESENTATION DATED 28.12.2011.

RESPONDENT'S EXHIBITS: NIL

TRUE COPY

PA TO JUDGE

Scl.

A. V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.18747 of 2012

Dated this the 19th day of January, 2015.

JUDGMENT

The petitioner has approached this Court alleging that though he was holding full additional charges of the post of Press Manager under the respondents, no charge allowance except for three months has been given to her. She also sought promotion to the post of Press Manager. The petitioner was appointed to the post of Proof Reader on 24.9.1982 as per Ext.P1 order. At that time, she had passed the three years Diploma in Printing Technology from the Institute of Printing Technology, Shornur, which was under the Government of Kerala. She had also passed B.A. Degree in Economics from the Kerala University. She was promoted to the post of Proof Reader Grade-I in the year 1985 and she was given the first higher grade in the year 1995. As per the Kerala Agricultural University Statute, the method of filling up of the post of Press Manager is by promotion of eligible employees

and in their absence, by direct recruitment. The qualification prescribed is a pass in SSLC with a diploma from any recognised printing institution. The experience requirement as per the statute is fifteen years in the Kerala Agricultural University Press. According to the petitioner, she had completed almost 30 years of total service in the Kerala Agricultural University Press and she is at the fag end of her career. She represented the matter of her promotion to the post of Press Manager before the University and the University as per Ext.P6 communication dated 23.9.2011, informed the petitioner that the matter is under the consideration of the Executive Committee. There was inaction even after elapse of one year, she made Exts. P7 and P8 representations and even sought for a temporary promotion under Rule 9(a)(i). As this also could not evoke any positive response, she has approached this Court.

2. This Court by interim order dated 16.8.2012 directed the respondents to provisionally promote the

petitioner to the post of Press Manager under Rule 9(a)(i) of KS & SSR. Today, when the matter came up for hearing, the learned counsel for the petitioner submitted that in the light of the interim order, she has been given promotion and she is still continuing in the post. It is further submitted that the petitioner is due to demit her office on 5.2.2015.

In the light of the facts and circumstances of this case, this Court is of the definite view that the interim order already granted can be made absolute. Therefore, the writ petition is disposed of as above.

Sd/-
A. V. RAMAKRISHNA PILLAI
JUDGE

Scl.