

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

WP(C).No. 15922 of 2015 (M)

PETITIONER :

K.I. XAVIER
ASSISTANT REGISTRAR
KERALA KHADI AND VILLAGE INDUSTRIES BOARD
PALAKKAD RESIDING AT KANNAMPUZHA HOUSE, KADAYANKADU
KANNADI P.ODIST. PALAKKADU 678 701

BY ADVS.SRI.PALI
SRI.A.MUHAMMED HASHIM

RESPONDENTS :

1. THE SECRETARY, KERALA KHADI GRAMA VYAVASAYA BOARD
VANCHIYOOR, THIRUVANANTHPAURAM 695 001
2. THE PROJECT OFFICER,
JILLA KHADI GRAMA VYAVASAYA OFFICE, WEST FORT ROAD
PALAKKAD 678 001

* ADDL.R3. IS IMPEADED

ADDLR3.STATE OF KERALA
REPRESENTED BY SECRETARY, PANCHAYAT DEPARTMENT
THIRUVANANTHAPURAM.

* ADDL.R3 IS IMPEADED AS PER ORDER DATED 19.06.2015 IN IA 8168/15.

**ADDL.R4 IS IMPEADED

ADDL.R4. THE SECRETARY TO GOVERNMENT (INDUSTRIES)

**ADDL.R4 IS SUO MOTO IMPEADED AS PER THE JUDGMENT DATED 14.10.2015

ADDL.R3 & 4 BY GOVT PLEADER SMT.M.J.RAJASREE
R1 & 2 BY ADV.SRI.TOM K.THOMAS, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
14-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 15922 of 2015 (M)

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 COPY OF THE REPRESENTATION DATED 15-12-2014

EXT.P2 TRUE COPY OF THE FORWARDING LETTER DATED 22-12-2014

EXT.P3 TRUE COPY OF THE RELIEVING CERTIFICATE DATED 22-03-1994

EXT.P4 COPY OF THE PROCEEDINGS OF THE KERALA KHADI AND VILLAGE INDUSTRIES
BOARD DATED 27-1-1995

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

PA TO JUDGE

AV

K.VINOD CHANDRAN, J.

W.P.(C) No.15922 of 2015

Dated this the 14th day of October, 2015

J U D G M E N T

The petitioner seeks for reckoning of 5 years, 6 months and 17 days of service he had in the Panchayath Department from 07.09.1988 to 22.03.1994, as pensionable service in the Kahdi and Village Industries Board wherein he was employed subsequently. The petitioner relies on the judgment in ***Mohammed Basheer A. v. State of Kerala [2014 (4) KHC 658 (DB)]***.

2. The learned Standing Counsel appearing for the Board submits that the matter has to be considered by the Government, since the issue of the petitioner has been referred to the Government.

3. The learned Government Pleader also submits on instructions from the Director of Panchayaths that, the said officer has confirmed the service of the petitioner as L.D Clerk from 07.09.1988 to 22.03.1994, when he was relieved, for being appointed as Junior Co-operative Inspector in the respondent Board.

4. In view of the submission of the learned Standing

Counsel that the matter has to be considered by the Secretary to Government (Industries), the Secretary to Government (Industries) is *suo motu* impleaded as the additional fourth respondent. The learned Government Pleader is directed to take notice for the additional fourth respondent.

In such circumstances, the petitioner shall produce the certified copy of this judgment along with a copy of the afore cited judgment before the additional 4th respondent, who shall consider the same and pass orders on it after affording an opportunity for hearing to the petitioner, within a period of three months from the date of production of the certified copy of the judgment.

Sd/-
K.VINOD CHANDRAN, JUDGE

AV/14/10/