

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 29TH DAY OF JULY 2015/7TH SRAVANA, 1937

WP(C).No. 16602 of 2015 (A)

PETITIONER(S):

1. SANTHOSH KUMAR C.K., AGED 39 YEARS
S/O. ACHUTHAN C.K., CONDUCTOR, KSRTC
SULTHAN BATHERI RESIDING AT CHOOROLI KUNIYIL
KOTHAMANGALAM, KOYILANDI P.O., KOZHIKODE DISTRICT.
2. SUDEVAN.M., AGED 39 YEARS
S/O. SUKESHAN, CONDUCTOR, KSRTC
SULTHANBATHERI RESIDING AT MAVADI HOUSE
KARADIPPARA P.O., THALOOR, WAYANAD DISTRICT.
3. SAJITH K.G., AGED 46 YEARS
S/O. GOVINDAN, CONDUCTOR, KSRTC
THIRUVAMBADI, RESIDING AT KARALATTUKUUNUMMEL HOUSE
THIRUVAMBADI P.O., KOZHIKODE DISTRICT - 673 603.
4. BALACHANDRAN C.K., AGED 50 YEARS
S/O. KUNJERUKKAN, CONDUCTOR, KSRTC
THIRUVAMBADI DEPOT, RESIDING AT CHALLUVAYALIL
THAMBALAMANNA P.O., THIRUVAMABADI
KOZHIKODE - 673 603.
5. HYDER C., AGED 43 YEARS
S/O. MUHAMMED KUTTY, CONDUCTOR, KSTRC
THIRUVAMBADI DEPOT, RESIDING AT CHONATTU HOUSE
KARASSERY P.O., MUKKAM VIA - 673 602.
KOZHIKODE DIST.
6. SATHIYAN K.K., AGED 43 YEARS
S/O. KUNHIRAMAN ADIYODI, CONDUCTOR, KSRTC
THOTTILPALAM DEPOT
RESIDING AT CHERILLATH MEETHAL HOUSE
PERAMBRA P.O - 673 525, KOZHIKODE DISTRICT.
7. SATHIAN P.K., AGED 45 YEARS
S/O. KUNHIRAMAN, CONDUCTOR, KSRTC
THOTTILPALAM DEPOT
RESIDING AT PULACHALAKANDI MEETHAL HOUSE, KOOTHALI
PERAMBRA P.O., KOZHIKODE DISTRICT - 673 525.

8. MATHEW K.S., AGED 45 YEARS
S/O. THOMAS, CONDUCTOR, KSRTC
MANANTHAVADI DEPOT, RESIDING AT KUNNATH HOUSE
ANAKKAMPOLI POST, THIRUVAMBADI VIA - 673 603
KOZHIKODE DISTRICT.
9. PRAVEEN KUMAR. P., AGED 54 YEARS
S/O. KARUNAKARAN, CONDUCTOR, KSRTC
THAMARASSERRY DEPOT AND RESIDING AT PUTHALATH HOUSE
ULLIYERI P.O., KOYILANDY, KOZHIKODE DISTRICT.
10. ASHOK KUMAR C.K AGED 43 YEARS
S/O. K.C.APPUKUTTY, CONDUCTOR, KSRTC
THAMARASSERRY DEPOT, AND RESIDING AT DHANYA
VELIMANNA P.O., THAMARASSERY, KOZHIKODE DISTRICT.
11. HAMEED .K., AGED 42 YEARS
S/O. KUNHAYIN, CONDUCTOR, KSRTC
THAMARASERRY DEPOT, AND RESIDING AT KUNNUMMAL HOUSE
CHENGOTTU KAVU, EDAKULAM, KOYILANDI
KOZHIKODE DISTRICT.
12. JAYAESH B.S, AGED 39 YEARS
S/O. BALAN, CONDUCTOR, KSRTC
THAMARASSERRY DEPORT
AND RESIDING AT CHITTARIPOIL HOUSE, KARUMALA P.O.
BALUSSERRY, KOZHIKODE DISTRICT.
13. BALARAMAN. P, AGED 53 YEARS
S/O. KUNHIKRISHNAN NAIR, CONDUCTOR, KSRTC
THOTTILPPALAM UNIT RESIDING AT PUTHIYADETHUKANDY
KAVIL P.O., NADUVANNOOR VIA
KOZHIKODE DISTRICT - 673 614.
14. BALACHANDRAN C.K., AGED 50 YEARS
S/O. UKKAPPAN NAIR, CONDUCTOR, KSRTC
THOTTIPPALAM UNIT, RESIDING AT CHETTIYANKANDY
ORAVIL P.O., NADUVANNOOR VIA
KOZHIKODE DISTRICT - 673 614.

BY ADVS.SRI.T.P.PRADEEP
SRI.P.K.SATHEES KUMAR

RESPONDENT(S):

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO THE
GOVERNMENT TRANSPORT (A) DEPARTMENT
GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM - 695 001.
2. KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY ITS MANAGING DIRECTOR
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM.

R BY SR. GOVERNMENT PLEADER SRI.THOMAS JOHN AMBOOKEN.
R BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
29-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

P1 - TRUE COPY OF THE MEMORANDUM ISSUED TO THE 1ST PETITIONER DT.
27.10.2004

P2 - TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 1ST PETITIONER DT.
07.4.12.

P2(A) - TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 2ND PETITIONER
DT. 07.4.12.

P2(B) - TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 3RD PETITIONER
DT. 07.4.12.

P2(C) - TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 4TH PETITIONER
DT. 07.4.12.

P2(D) - TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 5TH PETITIONER
DT. 07.4.12.

P2(E)- TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 6TH PETITIONER
DT. 07.4.12.

P2(F) - TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 7TH PETITIONER
DT. 07.4.12.

P2(G)- TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 8TH PETITIONER
DT. 07.4.12.

P2(H)- TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 9TH PETITIONER
DT. 07.4.12.

P2(I)- TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 10TH PETITIONER
DT. 07.4.12.

P2(J)- TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 11TH PETITIONER
DT. 07.4.12.

P2(K)- TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 12TH PETITIONER
DT. 19.12.13.

P2(L)- TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 13TH PETITIONER
DT. 07.4.12.

P2(M)- TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 14TH PETITIONER
DT. 07.4.12.

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: 2 :

P3- TRUE COPY OF THE AFFIDAVIT DT. 21.7.05 FILED IN WPC NO. 28368/04.

P4 - TRUE COPY OF THE JUDGMENT DT. 24.6.08 IN WA NO. 1631/07.

P5 - TRUE COPY OF THE MEMORANDUM DT. 06.1.06 ISSUED BY THE 2ND
RESPONDENT.

P6 - TRUE COPY OF THE ORDER OF THE 1ST RESPONDENT DT. 28.1.11.

P7 - TRUE COPY OF THE REPRESENTATION DT. 02.5.15 PREFERRED TO THE 1ST
RESPONDENT.

P8 - TRUE COPY OF THE REPRESENTATION DT. 02.5.15 PREFERRED TO THE 2ND
RESPONDENT.

P9 - TRUE COPY OF GO(MS) NO. 77/2011 DT. 22.12.11.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.16602 of 2015

Dated this the 29th day of July, 2015

J U D G M E N T

The contention of the petitioners is that they were appointed late notwithstanding the existence of vacancies. Such belated appointment has been deprecated in Ext.P4 judgment in W.A.No.1631/2007. The petitioners seek regularisation in service from the date of initial engagement and consequential benefits.

2. Ext.P8 representation put in by the petitioners is pending consideration. I direct the second respondent to consider Ext.P8 representation with notice to the first petitioner. The needful shall be done within a period of two months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.