

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 193

WP(C).No. 16844 of 2015 (E)

PETITIONER(S):

1. **AJAYAKUMAR. V, AGED 43 YEARS,
KIZHAKKUMMARIYAL, NADUVILAKKARA, THEVALAKKARA P.O.
KOLLAM. LAST GRADE SERVANT, APPLIED SCIENCE COLLEGE MUKKADA,
KOLLAM.**
2. **DAYAS A.AZAD, PULIVILA VEEDU, KODUVILA P.O, EAST KALLADA,
KOLLAM. LAST GRADE SERVANT, APPLIED SCIENCE COLLEGE, MUKKADA,
KOLLAM.**
3. **AJITHA RAMACHANDRAN, NANDARIKKAL, VELLIMON P.O, KOLLAM.
LAST GRADE SERVANT, APPLIED SCIENCE COLLEGE, MUKKADA, KOLLAM.**

**BY ADVS. SRI. RAVI KRISHNAN
SRI. RAHUL SHENOY
SRI. K. KRISHNAN**

RESPONDENT(S):

1. **DIRECTOR, INSTITUTE OF HUMAN RESOURCE DEVELOPMENT,
PRAJO E TOWERS, VAZHUTHACAUD,
THIRUVANANTHAPURAM. PIN - 695 014.**
2. **STATE OF KERALA
REP. BY CHIEF SECRETARY TO THE GOVERNMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM. PIN - 695 014.**

BY GOVERNMENT PLEADER SMT. M.J. RAJASREE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
06-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT. P1: THE TRUE COPY OF THE APPOINTMENT ORDER ISSUED BY THE 1ST RESPONDENT DATED 20/9/2010.
- EXT. P2: THE TRUE COPY OF LETTER FORWARDED BY THE PRINCIPAL, COLLEGE OF THE APPLIED SCIENCE, KUNDARA DATED 1/10/2011.
- EXT. P3: THE TRUE COPY OF THE ORDER REGARDING THE SCHEME INTRODUCING PROVIDENT FUND FOR EMPLOYEES OF THE IHRD.
- EXT. P4: THE TRUE COPY OF THE ORDER ISSUED BY THE 1ST RESPONDENT REGARDING EXTEND THE BENEFIT OF SCHEME TO LAST GRADE SERVANTS
- EXT. P5: THE TRUE COPY OF THE ORDER CLARIFYING WORKING OF THE SCHEME TO THE HEAD OF THE DEPARTMENT ISSUED BY THE 1ST RESPONDENT DATED 30/11/2012.
- EXT. P6: THE TRUE COPY OF THE JUDGMENT IN W.P.(C) 624/2013 DATED 16/1/2014 OF THIS HONOURABLE COURT

RESPONDENT(S)' EXHIBITS - **NIL**

//TRUE COPY//

P.A. TO JUDGE

ANIL K. NARENDRA, J.

W.P.(C). No. 16844 of 2015

Dated this the 6th day of July, 2015

JUDGMENT

The petitioners who are working as a Last Grade Servants in the Institute of Human Resource Development (IHRD), have filed this writ petition seeking a writ of mandamus commanding the respondents to implement Ext.P4 and Ext. P5 orders issued by the 1st respondent from November, 2012 onwards. They have also sought for a writ of mandamus commanding the 1st respondent to extend the benefit of Provident Fund Scheme to them in the light of Ext.P4 and Ext.P5 orders. The further relief sought for in this writ petition is an order directing the 1st respondent to declare that, the petitioners have successfully completed their period of probation.

2. Today, when the case was taken up for admission the learned counsel for the petitioners, relying Ext.P6 judgment of this Court in W.P.(C)No.624/2013 and also the judgment in

W.P.(C)No.18173/2015, would point out that the issue raised in this writ petition is covered in favour of the petitioners.

3. The learned standing counsel for the 1st respondent has also submitted that, the issue raised in this writ petition is covered in favour of the petitioners by the aforesaid judgments. Accordingly, the petitioners would also be entitled to get the benefit of the aforesaid judgment. In the result, this writ petition is disposed of directing the respondents to declare the probation of the petitioners within a period of one month from the date of receipt of a certified copy of this judgment and to extend the benefit of Provident Fund Scheme to them with effect from the date of introduction of Provident Fund Scheme in the organisation. The petitioners shall produce a copy of this writ petition together with a certified copy of this judgment before the 2nd respondent for further action.

Sd/-
ANIL K. NARENDRA
JUDGE