

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

WP(C).No. 17219 of 2015 (B)

PETITIONER:

**P.K.KRISHNANKUTTY, AGED 55 YEARS
S/O.P P KOCHAPPAN, PARAYANGATT THARA, PANAMBUKAD
VALLARPADOM P O, ERNAKULAM 682504, (INSPECTOR KSRTC
ERNAKULAM DEPOT)**

BY ADV. SRI.K.P.JUSTINE (KARIPAT)

RESPONDENTS:

- 1. THE MANAGING DIRECTOR, KSRTC
TRANSPORT BHAVAN, EAST FORT,
THIRUVANANTHAPURAM-695023**
- 2. THE EXECUTIVE DIRECTOR (ADMINISTRATION)
KERALA STATE ROAD TRANSPORT CORPORATION
TRANSPORT BHAVAN, EAST FORT,
THIRUVANANTHAPURAM-695023**
- 3. THE CONVENER
DEPARTMENTAL PROMOTION COMMITTEE, KSRTC
THIRUVANANTHAPURAM-695023**
- 4. THE DISTRICT TRANSPORT OFFICER
KSRTC, ERNAKULAM DEPOT - 682 011**
- 5. M. C. RAMAKRISHNAN
ASSISTANT TRANSPORT OFFICER, KSRTC,
CHITTOOR DEPOT - 682 009**

BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
28-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 17219 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1:- TRUE COPY OF THE DUTY PASS ISSUED TO THE PETITIONER**
- P2:- TRUE COPY OF THE MEMORANDUM NO 893/GL2/2015/RTC DTD 2/3/2015**
- P3:- TRUE COPY OF THE NOTIFICATION NO 893/GL2/2015/RTC DTD 31/3/2015**
- P4:- TRUE COPY OF THE PROMOTION LIST DTD 2/5/2015**
- P5:- TRUE COPY OF THE ORDER NO 802/GL2/2015/RTC DTD 18/5/2015**
- P6:- TRUE COPY OF THE ORDER NO 802/GL2/2015/RTC DTD 29/5/2015**
- P7:- TRUE COPY OF THE ORDER NO 802/GL2/2015/RTC DTD 30/5/2015**
- P8:- TRUE COPY OF THE PROFORMA**

RESPONDENT(S)' EXHIBITS:-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO.17219 OF 2015

Dated this the 28th day of July, 2015

JUDGMENT

Persons who are junior to the petitioner have admittedly been promoted evident by Exts. P5, P6 and P7 orders. There is also no serious dispute to the fact that the petitioner being a Scheduled Caste is entitled to permanent exemption from tests.

2. A Division Bench of this Court in W.A. No. 525/2014 had occasion to observe in this regard as follows:-

“4. As regards the claim of Scheduled Caste candidates, any exemption from acquiring the afore-noted requisite qualification will have to be operated in the light of any exemption granted to that category going by KSRTC decision in conformity with the entitlements of the Scheduled Caste and Scheduled Tribe candidates.”

3. Steps shall therefore be taken to promote the petitioner as Assistant Transport Officer with effect from the date on which his just junior was promoted. The

exercise shall be carried out within a period of two weeks from the date of production of a copy of this judgment. Needless to say that the consequential benefits shall also be disbursed to the petitioner without delay.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS