

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

WP(C).No. 21173 of 2012 (V)

PETITIONER(S):

1. J.ALAGARSWAMY,
S/O.JEGANATHARAJ
4/89, RAJAKKAL STREET
AVIYUR.P.O
VIRUDUNAGAR DISTRICT - 626 106.
2. T.PUSHPARAJ, AGED 47 YEARS
S/O.THANKAYYAN, KANDANVILLAI
THEN GAPATTANAM P.O,
KANIYAKUMARI DISTRICT.
3. K.KANTHASWAMY, AGED 42 YEARS
S/O.KRISHNASWAMY RAJA
RAJAKALPETTY, DOOR NO.3/63
PALAMEDU.P.O, MADURA DISTRICT.

BY ADV. SRI.SAIBY JOSE KIDANGOOR

RESPONDENT(S):

1. STATE OF KERALA
REP.BY ITS SECRETARY
TAXES (A) DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM- 695 001.
2. KERALA STATE BEVERAGES (M&M) CORPORATION LTD
SASTHAMANGALAM, THIRUVANANTHAPURAM
REP. BY ITS MANAGING DIRECTOR - 695 001.

R2 BY ADV. SRI.C.S.AJITH PRAKASH, SC, BEVERAGES CORPN.

R1 BY ADV.SRI.RAFEEL.V.K, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 07.08.2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS

EXT.P1 - TRUE COPY OF THE IDENTITY CARD ISSUED BY THE WELFARE FUND INSPECTOR, ERNAKULAM TO THE 1ST PETITIONER

EXT.P2 - TRUE COPY OF THE GOVERNMENT ORDER NO.G.O (RT) NO.01`/2002/TD DATED 20.02.2002

EXT.P3 - TRUE COPY OF THE GOVERNMENT ORDER NO.567/2004/TD DATED 7.8.2004

EXT.P4 - TRUE COPY OF THE PAPER EXTRACT SHOWING THE ADVERTISEMENT DATED 12.10.2009

EXT.P5 - TRUE COPY OF THE JUDGMENT DATED 3.4.2009 IN W.P. (C) NO. 26678/07 OF THIS HON'BLE COURT

EXT.P6 - TRUE COPY OF THE GOVERNMENT ORDER NO.562/9/TD DATED 22.06.2009.

RESPONDENTS' EXHIBITS

NIL

/TRUE COPY/

sks/-

P.A.TO JUDGE

P.V. ASHA, J.

W.P.(C) No. 21173 of 2012

Dated this the 7th day of August, 2015

J U D G M E N T

The petitioners filed this writ petition challenging Exts.P3 and P6 orders praying for a declaration that they are eligible to be appointed in the Kerala State Beverages (M&M) Corporation and not to fill up the vacancies of Abkari Workers on daily wages without appointing the petitioners to the quota prescribed for them. Another direction sought is to the first respondent to modify Ext.P3 order dated 7.8.2004.

2. Heard the learned counsel for the petitioners as well as the learned Standing Counsel for the Beverages Corporation.

3. The grievance of the petitioners in this regard is that by Ext.P3 modified order, the provision for employment to the dependents was limited to dependent sons of arrack workers who had committed suicide for loss of employment.

3. The learned counsel for the petitioners as well as the learned Standing Counsel submit that similar issues have already been considered and disposed of by this Court by judgment dated 29.5.2015 in W.P(C)No.19234/2005 and connected cases with the following directions in paragraph 17 of the judgment.

- “i. The Government shall take necessary steps to implement G.O (Rt) No.81/2002/TD, dated 20.02.2002 in BEVCO for all future vacancies.
- ii. Necessary orders shall be passed by the Government to implement the same within a period of two months from the date of receipt of a copy of this judgment.
- iii. There shall also be a direction to BEVCO to follow the Government Order as above for all future vacancies hereafter”.

W.P(C)No.21173/2012

4. In the above circumstances, this writ petition is also disposed of with the same directions as contained in paragraph 17 of the aforesaid judgment in W.P(C)No.19234/2005 and connected cases.

**P.V.ASHA
JUDGE**

sks/-