

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 12TH DAY OF OCTOBER 2015/20TH ASWINA, 1937

WP(C).No. 34036 of 2003 (B)

PETITIONER:

**SMT. K.B. PRASANTHINI, W/O.V.K. RAJEEV
AGED 39 YEARS, I GRADE DRAFTSMAN, P.H. CIRCLE
KERALA WATER AUTHORITY, THANA, KANNUR.**

BY ADV. SRI.V.RAMKUMAR NAMBIAR

RESPONDENTS:

- 1. STATE OF KERALA REPRESENTED BY SECRETARY
WATER RESOURCES (WATER SUPPLY B) DEPARTMENT
TRIVANDRUM.**
- 2. THE KERALA WATER AUTHORITY
REPRESENTED BY ITS MANAGING DIRECTOR
TRIVANDRUM.**
- 3. THE KERALA PUBLIC SERVICE COMMISSION
REPRESENTED BY ITS CHAIRMAN, TRIVANDRUM.**

**BY ADVS. SRI.M.V.MATHAI MUTHIRENTHY, SC, KWA
SRI.JOY GEORGE, SC, KWA
SRI.C.UNNIKRISHNAN, SC, KWA
SRI.ALEXANDER THOMAS,SC,KPSC**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS :-

- EXT.P1 - COPY OF THE GOVT. ORDER DATED 29.03.2001.
- EXT.P2 - COPY OF THE PROCEEDINGS OF MANAGING DIRECTOR,
KERALA WATER AUTHORITY DATED 26.09.2001 ALONG WITH
THE LIST OF EMPLOYEES WHO WERE REGULARISED
W.E.F. 29.03.2001.
- EXT.P3 - COPY OF THE REPRESENTATION DATED 09.01.1992.
- EXT.P4 - COPY OF THE JUDGMENT OF THIS COURT IN O.P. NO.38613 OF
2001 DATED 28.05.2003.
- EXT.P5 - COPY OF THE REPRESENTATION DATED 13.06.2003.
- EXT.P6 - COPY OF ORDER OF THE GOVT. DATED 24.07.2003 REJECTING
THE CLAIM.
- EXT.P7 - COPY OF THE RELEVANT PORTION OF THE PROVISIONAL LIST
OF DRAFTSMAN GRADE I AS ON 01.11.2000 ALONG WITH
PROFORMS AND CIRCULAR DATED 12.12.2000.

RESPONDENTS' EXHIBITS:- NIL

//TRUE COPY//

P.A. TO JUDGE

sp

K. VINOD CHANDRAN, J.

W.P(C). No.34036 of 2003

Dated this the 12th day of October, 2015.

JUDGMENT

The petitioner, on the basis of the decision in ***Jacob M. Puthuparambil v. Kerala Water Authority [(1991) 1 SCC 28]***, claimed retrospective regularization. The petitioner was a Draftsman. But however, a similar issue with respect to an Assistant Engineer was considered by this Court and distinguished from the aforesaid judgment in judgment dated 22.07.2003 in O.P. No.4567 of 2002. The said decision has been confirmed in W.A. No.1717 of 2003 dated 04.11.2003.

In such circumstance, respectfully following the aforesaid judgment, the writ petition is dismissed.

Sd/-

**K. VINOD CHANDRAN,
JUDGE**

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//True Copy//

P.A. to Judge.