

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

THURSDAY, THE 16TH DAY OF JULY 2015/25TH ASHADHA, 1937

WP(C).No. 19716 of 2015 (L)

PETITIONER :

C.KRISHNAN,
JUNIOR SUPERINTENDENT,
KERALA STATE HANDLOOM DEVELOPMENT CORPORATION LTD.,
REGIONAL OFFICE, TRIVANDRUM.

BY ADV. SRI.M.S.ANIL KUMAR

RESPONDENTS :

1. KERALA STATE HANDLOOM DEVELOPMENT CORPORATION LTD.,
PM 32/2049/THILLERI ROAD, CANNANORE – 670 001.

2. THE REGIONAL MANAGER,
REGIONAL OFFICE,
KERALA STATE HANDLOOM DEVELOPMENT CORPORATION LTD.,
NEMOM P.O., TRIVANDRUM – 20.

R1 & 2 BY SRI.M.GOPIKRISHNAN NAMBIAR – SC –KSHD CORPN.LTD.

R1 & 2 BY ADV. SRI.P.GOPINATH

R1 & 2 BY ADV. SRI.P.BENNY THOMAS

R1 & 2 BY ADV. SRI.K.JOHN MATHAI

R1 & 2 BY ADV. SRI.JOSON MANAVALAN

R1 & 2 BY ADV. SRI.KURRYAN THOMAS

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :

- EXT.P-1: TRUE PHOTOCOPY OF THE ADMISSION & IDENTITY CARD DATED 21.5.2015.
- EXT.P-2: TRUE PHOTOCOPY OF PROMOTION ORDER DATED 8.6.2015 ISSUED BY THE 1ST RESPONDENT DATED 8.6.2015.
- EXT.P-3: TRUE PHOTOCOPY OF THE LEAVE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 20.6.2015.
- EXT.P-4: TRUE PHOTOCOPY OF THE REPRESENTATION DATED 18.6.2015 SUBMITTED TO THE CHAIRMAN AND THE MANAGING DIRECTOR OF KERALA STATE HANDLOOM DEVELOPMENT CORPORATION.
- EXT.P-5: TRUE PHOTOCOPY OF THE PROMOTION ORDER PASSED IN THE YEAR 2011 BY THE MANAGING DIRECTOR.

RESPONDENTS' EXHIBITS :- NIL.

True copy

P.A to Judge

ANIL K.NARENDRA, J.

W.P.(C)No.19716 of 2015

Dated this the 16th day of July, 2015

JUDGMENT

The petitioner, who got promotion as Superintendent vide Ext.P2 order issued by the 1st respondent, Corporation dated 8.6.2015, has approached this Court in this writ petition seeking a writ of mandamus commanding the 1st respondent to consider Ext.P4 representation and allow him to continue as Superintendent in the Regional Office of the Corporation in the existing vacancy. He has also sought for a direction commanding the 1st respondent to modify Ext.P2 order and grant him promotion in the existing vacancy available in the Regional Office, Thiruvananthapuram and allow him to continue till superannuation on 30.4.2017.

2. The respondents have filed a statement stating, inter alia, that there are 2 posts of Superintendent in the Corporation, one at Thiruvananthapuram and another at Kannur. It is also stated that, one R.Ratheeshlal is currently working as Superintendent in the Regional Office, Thiruvananthapuram and the only available post is at Kannur.

3. The petitioner has filed a reply affidavit, reiterating the contention raised in the writ petition and also pointing out that there is a post of Superintendent available at the Regional Office of the Corporation at Thiruvananthapuram, in which he can be accommodated.

4. After arguing for some time, the learned counsel for the petitioner would confine his argument for a disposal of Ext.P4 representation pending before the 1st respondent.

5. I heard the arguments of the learned counsel for the petitioner and also the learned Standing Counsel for the respondent.

6. Considering the fact that, the limited prayer sought for by the learned counsel for the petitioner is only for consideration of Ext.P4 representation by the 1st respondent Corporation, I dispose of this writ petition, without expressing anything on the merit of the claim made by the petitioner, by directing the Managing Director of the 1st respondent Corporation to consider and pass appropriate orders on Ext.P4 representation within a period of two weeks from the date of receipt of a certified copy of this judgment.

It is made clear that this Court has not expressed anything on the merit of the claim made by petitioner in Ext.P4 representation and it is for the Managing Director of the 1st respondent to take an appropriate decision, strictly in accordance with law.

ANIL K.NARENDRAN, JUDGE

skj