

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

FRIDAY, THE 3RD DAY OF JULY 2015/12TH ASHADHA, 1937

WP(C).No. 20059 of 2015 (F)

PETITIONERS:

1. BIBINKUMAR K.V., AGED 36 YEARS,
S/O VALSALAN, RESIDING AT KANATT HOUSE,
VANNAPPURAM P.O., KOOVAPPURAM,
THODUPUZHA, (DRIVER II, KSRTC,
THODUPUZHA DEPOT).
2. VINODKUMAR N.A., AGED 34 YEARS, S/O. GOPI,
RESIDING AT NARIVELIL HOUSE, UDUMBANNOOR P.O.,
AMAYAPRA, THODUPUZHA, (DRIVER II,
KSRTC, THODUPUZHA DEPOT)
3. MARTIN MATHEW, AGED 39 YEARS, S/O. MATHEW,
RESIDING AT VANAPUZHA HOUSE, MANAKADU P.O.,
THODUPUZHA, (DRIVER II, KSRTC, THODUPUZHA DEPOT)
4. STEPHEN C PHILIP, AGED 35 YEARS, S/O. PHILIP,
RESIDING AT CHERIYIL HOUSE, KOLANI P.O.,
CHUNKOM, THODUPUZHA, (DRIVER II,
KSRTC, THODUPUZHA DEPOT)
5. LATHEEF C.A., AGED 37 YEARS, S/O. ALIYAR,
RESIDING AT CHOORAVELIL HOUSE,
PERUMPILLICHIRA P.O., THODUPUZHA,
(DRIVER II, KSRTC, THODUPUZHA DEPOT).

BY ADV. SRI. JAISON JOSEPH

RESPONDENTS:

1. THE KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR
TRANSPORT BHAVAN, FORT P.O., THIRUVANANTHAPURAM 695 023.
2. THE DEPUTY CHIEF TRAFFIC OFFICER,
JNRUM PROJECT, KERALA STATE ROAD
TRANSPORT CORPORATION, TRANSPORT BHAVAN,
FORT P.O., THIRUVANANTHAPURAM 695 023.

WP(C) NO. 20059/2015

3. DISTRICT TRANSPORT OFFICER,
DISTRICT HEAD QUARTERS,
KERALA STATE ROAD TRANSPORT CORPORATION,
THODUPUZHA 685 608.
4. ASSISTANT TRANSPORT OFFICER,
KERALA STATE ROAD TRANSPORT CORPORATION,
THODUPUZHA DEPOT PIN 685 608.

BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : PHOTOCOPY OF THE MEMORANDUM ISSUED TO THE PETITIONER
BY RESPONDENT NO. 3
- EXHIBIT P2 : PHOTOCOPY OF THE JUDGMENT IN WP(C) NO. 1968/2013.
- EXHIBIT P3 : PHOTOCOPY OF THE REPRESENTATION GIVEN TO RESPONDENT
NO. 4
- EXHIBIT P4 : PHOTOCOPY OF POSTAL RECEIPTS OF EXT.P3 REPRESENTATION.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 20059 OF 2015

Dated this the 3rd day of July, 2015

JUDGMENT

The writ petition concerns the deployment of personnel to drive A/c low floor buses under the JNRUM project. The drivers on exercising option have undergone training to drive such buses.

2. True it is that seniority in the cadre of drivers is not affected by undergoing a special training for driving A/c low floor buses. But the senior drivers amongst drivers who have undergone the training should be preferred to the juniors.

3. The petitioners in this regard have submitted Ext.P3 representation with the fourth respondent. I direct the fourth respondent to consider Ext.P3 representation within a period of one month.

4. The petitioner refers to Ext.P2 judgment in WP(C) No. 11968/2013. There is no ratio decidendi therein for it to be followed as precedent.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**