

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

WP(C).No. 20329 of 2015 (M)

PETITIONER:

**R.RATHEESH LAL, AGED 32 YEARS
S/O. LATE N RAJENDRAN, II GRADE CONDUCTOR
VELLARADA DEPOT, THIRUVANANTHAPURAM
VIRAD VISWABRAHMANA MUTT, VALIYAVILA VEEDU
KEERTHI NAGAR, VELLAYANI, SANTHIVILA
NEMOM P.O, THIRUVANANTHAPURAM 20**

BY ADV. SRI.LIJU. M.P

RESPONDENTS:

- 1. THE KERALA STATE ROAD TRANSPORT CORPORATION
CHIEF OFFICE, TRANSPORT BHAVAN, THIRUVANANTHAPURAM
REPRESENTED BY ITS CHAIRMAN 695 001**
- 2. THE MANAGING DIRECTOR,
CHIEF OFFICE, TRANSPORT BHAVAN
THIRUVANANTHAPURAM 695 001**
- 3. THE EXECUTIVE DIRECTOR(ADMINISTRATION)
CHIEF OFFICE, TRANSPORT BHAVAN
THIRUVANANTHAPURAM 695 001**
- 4. THE DISTRICT TRANSPORT OFFICER
KERALA STATE ROAD TRANSPORT CORPORATION, KAYAMKULAM
KOLLAM 691 001**
- 5. THE ASSISTANT TRANSPORT OFFICER,
KERALA STATE ROAD TRANSPORT CORPORATION
VELLARADA DEPOT, THIRUVANANTHAPURAM 695 001**

BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

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

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : COPY OF THE OUT PATIENT TICKET DATED 8.1.2014 ISSUED FROM REGIONAL INSTITUTE OF OPHTHALMOLOGY**
- P2 : COPY OF THE TREATMENT CERTIFICATE DATED 22.1.2014 ISSUED FROM REGIONAL INSTITUTE OF OPHTHALMOLOGY**
- P3 : COPY OF THE STANDING DISABILITY ASSESSMENT BOARD CERTIFICATE DATED 10.02.2014 ISSUED TO THE PETITIONER**
- P4 : COPY OF THE MEMORANDUM NO. E1/1058/14/KAYAMKULAM DATED 3.4.2014 ISSUED BY 4TH RESPONDENT**
- P5 : COPY OF THE ORDER DATED 1/85712/T/2015 DATED 26.05.2015 PASSED BY REGIONAL TRANSPORT OFFICER, THIRUVANANTHAPURAM**
- P6: COPY OF THE JUDGMENT DATED 10.06.2014 PASSED IN W.P.(C). NO. 12693/2014 OF THE HON'BLE HIGH COURT OF KERALA**
- P7: COPY OF THE MEMORANDUM NO. E1/4007/15/KAYAMKULAM DATED 20.12.2014**
- P8: COPY OF THE CIRCULAR MEMORANDUM NO.PL 15/029031/2011 DATED 01.02.2012**
- P9: COPY OF THE REPRESENTATION DATED 18.04.2015 SUBMITTED BEFORE THE 2ND RESPONDENT**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 20329 OF 2015

Dated this the 07th day of July, 2015

JUDGMENT

The petitioner suffers from 30% visual disability (permanent) as revealed from Ext. P2 treatment certificate and Ext. P3 disability certificate. The petitioner was earlier posted on light duty by Ext. P7 order for a period of three months taking note of the permanent disability. The application for issue of conductor licence put in by the petitioner has now been rejected by Ext P5 order. The same reflects that the petitioner is unfit to perform the duties of a conductor as certified by the medical practitioner.

2. The petitioner seeks continued posting on light duty as conductor. The petitioner asserts that few posts are earmarked in every category to accommodate disabled employees. Reliance is placed on Ext. P8 memorandum in regard to disabled conductors. Ext. P9 representation filed by the petitioner in this regard is pending consideration. I direct the second respondent to consider Ext. P9 representation with

notice to the petitioner. The needful shall be done within a period of one month from the date of receipt of a copy of this judgment.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS