

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

THURSDAY, THE 5TH DAY OF FEBRUARY 2015/16TH MAGHA, 1936

WP(C).No. 21324 of 2014 (M)

PETITIONERS:

1. G.HARIKUMAR, AGED 51, S/O.GOPINATHA NAIR,
SEMI SKILLED WORKER GRADE-I
MILMA CATTLE FEED PLANT PATTANAKKAD
KANNAMPALLIL MUTHUKULAM SOUTH.
2. K.SASIDHARAN AGED 52 YEARS, S/O.KRISHNAN,
SEMI SKILLED, WORKER GRADE-I
MILMA CATTLE FEED PLANT PATTANAKKAD
KUNNATH NIKARATHIL HOUSE, VALAYAR, SHER TALAI.
3. P.K.PRASANNAN, S/O.N.K.KRISHNANKUTTY,
SEMI SKILLED WORKER GRADE-I
MILMA CATTLE FEED PLANT PATTANAKKAD
CHERUMANGALAM, MUHAMMA.

BY ADV. SRI.BIJU.P.N.

RESPONDENTS:

1. THE MANAGING DIRECTOR, THE KERALA CO-OPERATIVE
MILK MARKETING FEDERATION LIMITED, MILMA BHAVAN ,
PATTAM PALACE P.O., THIRUVANANTHAPURAM-695 004.
2. THE SENIOR MANAGER, KERALA CO-OPERATIVE MILK
MARKETING FEDERATION LTD., CATTLE FEED PLANT,
PATTANAKKAD, ALAPPUZHA-688 531.

Addl.3. NOUSHAD, JUNAIDU MANZIL,
PATTANAKAD VILLAGE,
CHERTHALA TALUK.

Addl.4. T. RAJENDRA PRASAD, CHIRAMURICKAL VEEDU,
KUTHIRAPANTHY WARD, THIRUVAMPADI P.O.,
ALAPPUZHA DISTRICT.

ADDL.R3 AND R4 ARE IMPEADED AS PER ORDER DATED 17/09/2014 IN IA.NO.
12162/2014.

ADDL.3, R4 BY ADV. SRI.K.G.PAVITHRAN
BY ADV. SRI.K.ANAND (SR.)
BY ADV. SMT.LATHA KRISHNAN, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05-02-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 TRUE COPY OF PROCEEDINGS NO.PER:23:85/3425 DATED 26/10/1995.
EXT.P2 TRUE COPY OF THE PROCEEDINGS NO.PER:23:85/3415 DATED 26/10/1995.
EXT.P3 TRUE COPY OF THE PROCEEDINGS NO.PER:23:85/3416 DATED 26/10/1995.
EXT.P4 TRUE COPY OF THE PROCEEDINGS NO.PER:8:8989/7403 DATED 6/1/2014.
EXT.P5 TRUE COPY OF THE NOTIFICATION GO.(P) NO.19/2011/AD DTED 14/1/2011.
EXT.P6 TRUE COPY OF THE REPRESENTATION DATED 12/5/2014.

RESPONDENT(S)' EXHIBITS

EXHIBIT R3(a) TRUE COPY OF THE ORDER NO. PER:8:89/2292 DT. 07.06.2011.
EXHIBIT R3(b) TRUE COPY OF THE MINUTES OF THE MEETING HELD ON 17.07.2014
ISSUED BY THE MANAGING DIRECTOR ON 05.08.2014.

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 21324 OF 2014

Dated this the 5th day of February, 2015

JUDGMENT

The entitlement of the petitioners to be promoted to the post of Store attender is not seriously in dispute. This is on the basis of Ext.P5 recruitment rules as approved by the Kerala Public Service Commission and the government. Ofcourse this should not affect the vested right of additional respondents 3 and 4 who are already promoted as per the standing orders.

2. I permit the petitioners to submit a representation to the first respondent within one month from today. Such representation shall be disposed of with notice to the petitioners within one month therefrom. Steps to promote the petitioners to the post of Store attender (if they are entitled to) shall be taken soon. The first respondent shall advert to the question as to the date from which the benefit of promotion should be extended.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**