

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

TUESDAY, THE 14TH DAY OF JULY 2015/23RD ASHADHA, 1937

WP(C).No. 21108 of 2015 (K)

PETITIONER:

T.K. RAVINDRANATHAN, AGED 56 YEARS,
S/O. KESAVAN NAIR, DRIVER GRADE II, KSRTC,
ERNAKULAM DEPOT & RESIDING AT KRISHNA SREE,
VADUKUNNUPUZHA, PERUVA.P.O, KOTTAYAM DISTRICT-686610.

BY ADV. SRI. N. UNNIKRISHNAN

RESPONDENTS:

1. THE STATE OF KERALA, REPRESENTED BY
THE PRINCIPAL SECRETARY TO THE GOVERNMENT
TRANSPORT(A) DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM - 695 001.
2. KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM-695023
REPRESENTED BY THE CHAIRMAN & MANAGING DIRECTOR.
3. THE DISTRICT TRANSPORT OFFICER,
KERALA ROAD TRANSPORT CORPORATION,
ERNAKULAM - 682 011.

BY GOVERNMENT PLEADER SRI. GIKKU JACOB
R BY SRI. M. GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 A TRUE COPY OF THE CASH RECEIPT EU NO.15921 DATED 23.03.1999
- EXHIBIT P2 A TRUE COPY OF MEMORANDUM NO.PL12/025739/2008 DATED 07.04.2012
- EXHIBIT P3 A TRUE COPY OF MEMORANDUM NO.PL3/567/15/EKM DATED 29.05.2015
- EXHIBIT P4 A TRUE COPY OF REPRESENTATION DATED 06.07.2015 ISUSED TO 2ND
RESPONDENT
- EXHIBIT P5 A TRUE COPY OF JUDGMENT DATED 29.06.2015 IN W.P(C)NO.19356/2015(T)

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

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Dated this the 14th day of July, 2015

JUDGMENT

The issue is covered by the common judgment dated 20.02.2015 by the Larger Bench of this Court in **K.L. Francis Vs. Kerala State Road Transport Corporation and Others**. Therefore the provisional services put in by the petitioner prior to his regular appointment on the advice of the Kerala Public Service Commission is liable to be reckoned for pension. It is declared that the said dictum covers the case of the petitioner also to whom the benefits of the Larger Bench decision of this Court shall be extended.

2. The respondents submit that a Special Leave Petition is being filed against the common judgment of the Larger Bench before the Supreme Court and that orders are awaited. I make it clear that the implementation of the judgment of the Larger Bench of this Court as regards the petitioner would also be subject to the modification if any by the Supreme Court in the Special Leave Petition ofcourse to be filed. The respondents are

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directed to do the needful in the case of the petitioner within a period of three months from the date of receipt of a copy of this judgment.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd