

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

WP(C).No. 22629 of 2015 (C)

PETITIONER(S):

NO. 921150376 HEAD CONSTABLE/ DRIVER VARGHESE P.V.
GROUP CENTRE, PALLIPURAM, THIRUVANANTHAPURAM-695 022.

BY ADV. SRI.VISHNU S. CHEMPAZHANTHIYIL

RESPONDENT(S):

1. THE DEPUTY INSPECTOR GENERAL OF POLICE
GROUP CENTRE, CENTRAL RESERVE POLICE FORCE
PALLIPPURAM, THIRUVANANTHAPURAM-695 022.
2. THE INSPECTOR GENERAL
SOUTHERN SECTOR, CENTRAL RESERVE POLICE FORCE
ROAD NO.10C, NEW MP/MLA COLONY, GAYATHRI HILLS
HYDERABAD-500 033.
3. THE INSPECTOR GENERAL OF POLICE (PERSONNEL)
DIRECTORATE GENERAL, CENTRAL RESERVE POLICE FORCE
CENTRAL GOVERNMENT OFFICE COMPLEX, LODHI ROAD
NEW DELHI-110 003.
4. DIRECTOR GENERAL
DIRECTORATE, CENTRAL RESERVE POLICE FORCE
CENTRAL GOVERNMENT OFFICE COMPLEX, LODHI ROAD
NEW DELHI-110 003
5. UNION OF INDIA
REPRESENTED BY THE SECRETARY
MINISTRY OF HOME AFFAIRS, NEW DELHI-110 001.

R1-R5 BY ADV. SMT.O.M.SHALINA, CGC
R BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1. TRUE COPY OF THE ORDER NO.T.IX/01/2015-ESTT-I DATED 15TH JULY
ISSUED BY THE 1ST RESPONDENT

EXT.P2. TRUE COPY OF THE TREATMENT CERTIFICATE ISSUED BY T.D.MEDICAL
COLLEGE HOSPITAL, ALAPPUZHA.

EXT.P3. TRUE COPY OF THE HEALTH CARD OF THE PETITIONER MAINTAINED BY
THE CRPF.

EXT.P4. TRUE COPY OF THE MEDICAL BOARD PROCEEDINGS DATED 20/6/2015.

EXT.P5. TRUE COPY OF THE MEDICAL CERTIFICATE DATED 28/1/2014 ISSUED BY
THE DEPARTMENT OF ORTHOPAEDICS MEDICAL COLLEGE, HOSPITAL,
THIRUVANANTHAPURAM.

EXT.P5(A). TRUE COPY OF THE MEDICAL CERTIFICATE DATED 24/7/2014 ISSUED BY
THE DEPARTMENT OF ORTHOPAEDICS MEDICAL COLLEGE, HOSPITAL,
THIRUVANANTHAPURAM.

EXT.P5(B). TRUE COPY OF THE MEDICAL CERTIFICATE DATED 14/10/2014 ISSUED BY
THE DEPARTMENT OF ORTHOPAEDICS MEDICAL COLLEGE, HOSPITAL,
THIRUVANANTHAPURAM.

EXT.P6. TRUE COPY OF THE MEDICAL CERTIFICATE DATED 19/6/2015 ISSUED BY
THE DEPARTMENT OF ORTHOPAEDICS MEDICAL COLLEGE, HOSPITAL,
THIRUVANANTHAPURAM.

EXT.P7. TRUE COPY OF THE REPRESENTATION ADDRESSED TO THE 3RD
RESPONDENT

EXT.P8. TRUE COPY OF THE REPRESENTATION ADDRESSED TO THE 4TH
RESPONDENT

EXT.P9. TRUE COPY OF THE MEDICAL CERTIFICATE ISSUED BY THE MEDICAL
COLLEGE HOSPITAL, THIRUVANANTHAPURAM

RESPONDENT(S)' EXHIBITS: NIL

TRUE COPY

P.A TO JUDGE

jma

K. VINOD CHANDRAN, J

W.P(C) No. 22629 of 2015

Dated this the 30th day of September, 2015

J U D G M E N T

The petitioner is aggrieved with the transfer at Ext.P1 by which he has been transferred to 223 Battalion in Chattisgarh, which according to the petitioner is a special Operational Zone. The grievance projected is that the petitioner is declared a low medical category and in all probability, the authority who issued the Transfer Order has not been apprised of the fact.

2. The petitioner specifically relies on Ext. P4 wherein the Medical Board of the respondent CRPF at Pallipuram, Kerala had found on examination of the petitioner that he has to be categorised as P2(P) Category, a low medical category since he was found to be suffering from “D M uncontrolled & Discogenic Pain”. The petitioner was also advised to be given light duty for six months. The petitioner has produced a series of Medical Certificates of the Assistant Professor of Orthopedics, Medical College Thiruvananthapuram, which has also advised light duty for reason of Discogenic back pain.

3. The petitioner has filed a representation at Ext.P8 before the 3rd respondent wherein he has pointed out his difficulties. In such

circumstance, the 4th respondent may call for a report and consider the application at any rate, within a period of one month from the date of receipt of a certified copy of this judgment. The petitioner shall be retained in Pallipuram, till the representation is considered and thereafter, shall be governed by the order passed.

Writ petition is disposed of.

Sd/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge