

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

WP(C).NO. 23591 OF 2015 (Y)

PETITIONER(S) :

P.UNNIKRISHNA PILLAI, AGED 42 YEARS
S/O.PRABHAKARAN PILLAI, NO.91005004
HEAD CONSTABLE(DRIVER), SHQ, BORDER SECURITY FORCE
VALLAKADAV (PO), THIRUVANANTHAPURAM, PIN 695008
RESIDING AT AMARJYOTHI (PARATHAYIL), THEKKUMPURAM
PUTHOOR (PO), KOLLAM DISTRICT.

BY ADVS.SRI.M.V.THAMBAN
SRI.K.V.ANIL KUMAR
SRI.R.REJI

RESPONDENT(S) :

1. DIRECTOR GENERAL
BORDER SECURITY FORCE, CGD COMPLEX, LODHI ROAD
NEW DELHI, PIN 110003.

2. INSPECTOR GENERAL
BORDER SECURITY FORCE, FRONTIER HEADQUARTERS, AFS
VELAMKARA (PO), BANGALORE-63.

3. DEPUTY INSPECTOR GENERAL
BORDER SECURITY FORCE, SHQ SSF, VALLAKADAV (PO)
THIRUVANANTHAPURAM, PIN 695008.

4. ASSISTANT COMMANDANT
BORDER SECURITY FORCE, SHQ SSF, VALLAKADAV (PO)
THIRUVANANTHAPURAM, PIN 695008.

R1-R4 BY ADV. SRI.JAISHANKAR V.NAIR, CGC
BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
BY SMT.SHALINA O.M.,CGC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
11-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).NO. 23591 OF 2015 (Y)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT-P1: TRUE COPY OF THE TRANSFER ORDER ISSUED BY THE 4TH
RESPONDENT DT.14.07.2015.

EXHIBIT-P2: TRUE COPY OF THE CERTIFICATE ISSUED BY THE NEUROLOGIST OF
TRAVANCORE MEDICAL COLLEGE DT.04.06.2015.

EXHIBIT-P3: TRUE COPY OF THE DISCHARGE SUMMARY DT.09.05.2015 ISSUED
FROM THE TRAVANCORE MEDICAL COLLEGE HOSPITAL.

EXHIBIT-P4: TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER
BEFORE THE 1ST RESPONDENT.

RESPONDENT(S) ' EXHIBITS:NIL

//TRUE COPY//

P.A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.23591 of 2015

.....
Dated this the 11th day of August, 2015

J U D G M E N T

The petitioner, who is presently working as Head Constable (Driver) at Sector Headquarters, Border Security Force, Thiruvananthapuram, is aggrieved by Ext.P1 order of transfer, posting the petitioner to 77 Battalion, Bangalore. It is stated by the petitioner that, against the order of transfer, he has preferred Ext.P4 representation before the 1st respondent highlighting his grievance against the transfer, and the limited prayer in the writ petition is for a direction to the 1st respondent to consider and pass orders on Ext.P4 representation expeditiously, after hearing the petitioner.

2. I have heard the learned counsel for the petitioner and the learned Assistant Solicitor General of India for the respondents.

On a consideration of the facts and circumstances of the case and submissions made across the bar, I dispose the writ petition with a direction to the 1st respondent to consider and pass orders on Ext.P4 representation preferred by the petitioner against Ext.P1 order of transfer within a period of two months from the date of receipt of a copy of this judgment after hearing the petitioner. I make it clear

that, till such time as orders are passed by the 1st respondent as directed and communicated to the petitioner, the operation of Ext.P1 order insofar as it relates to the petitioner shall be kept in abeyance. The petitioner shall produce a copy of the writ petition together with a copy of this judgment before the 1st respondent for further action.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

