

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 18TH DAY OF AUGUST 2015/27TH SRAVANA, 1937

WP(C).NO. 23726 OF 2015 (M)

PETITIONER(S) :

RAJU V.E., AGED 48 YEARS
S/O.AYYAPPAN ENATHI, SENIOR SUPERINTENDENT
KERALA STATE ELECTRICITY BOARD LTD.
ELECTRICAL SECTION, PANAMARAM
WAYANAD (RESIDING AT VELAKUZH, KOKKAPPILLY, ERNAKULAM)

BY ADVS.SRI.S.KANNAN
SMT.K.S.SANGEETHA
SMT.S.SIMY

RESPONDENT(S) :

1. KERALA STATE ELECTRICITY BOARD LTD.
REPRESENTED BY ITS SECRETARY, VYDYUTHI BHAVANAM
PATTOM, THIRUVANANTHAPURAM, PIN 695004

2. THE CHIEF ENGINEER (HRM)
KERALA STATE ELECTRICITY BOARD LTD.VYDYUTHI BHAVANAM
PATTOM, THIRUVANANTHAPURAM, PIN 695004

3. THE DEPUTY CHIEF ENGINEER
KERALA STATE ELECTRICITY BOARD LTD.
ELECTRICAL CIRCLE, KALPETTA, WAYANAD 673121

4. THE EXECUTIVE ENGINEER
KERALA STATE ELECTRICITY BOARD LTD.
ELECTRICAL DIVISION, MANANTHAVADY, WAYANAD 670645

5. DEPUTY CHIEF ENGINEER
KERALA STATE ELECTRICITY BOARD LTD.
ELECTRICAL CIRCLE, PERUMBAVOOR 683542

BY SRI.K.S.ANIL, SC, KSEB
BY GOVERNMENT PLEADER SMT.M.J.RAJASREE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
18-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .NO. 23726 OF 2015 (M)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1:A TRUE COPY OF THE RELEVANT EXTRACT OF ORDER ENDT. ON EB.3
A/SS/T&P/2015 DATED 08.07.2015 ISSUED BY THE 2ND RESPONDENT

P1 (A):A TRUE COPY OF THE REPRESENTATION DATED 20.07.2015 SUBMITTED BY
THE PETITIONER BEFORE THE 2ND RESPONDENT

P2:A TRUE COPY OF THE REPRESENTATION DATED 30.07.2015 SUBMITTED BY THE
PETITIONER BEFORE THE 3RD RESPONDENT

P3:A TRUE COPY OF THE COMMUNICATION DATED 24.07.2015 ISSUED BY THE 2ND
RESPONDENT

P4:A TRUE COPY OF THE JUDGMENT DATED 01.10.2014 IN WRIT PETITION CIVIL
NO.25038/2014

P5:A TRUE COPY OF THE MEDICAL CERTIFICATE ISSUED IN FAVOUR OF THE
MOTHER OF THE PETITIONER ISSUED FROM COMMUNITY HEALTH CENTRE,
VADAVUCODE, ERNAKULAM

RESPONDENT(S) ' EXHIBITS:NIL

//TRUE COPY//

P.A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....

W.P.(C).No.23726 of 2015

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Dated this the 18th day of August, 2015

J U D G M E N T

The petitioner, who is working as a Senior Superintendent at Electrical Section, Panamaram, Wayanad, was transferred by Ext.P1 order to Electrical Circle, Perumbavoor. The grievance of the petitioner is that, notwithstanding Ext.P1 order of transfer, the petitioner has not been relieved from the present station at Wayanad to take up the responsibilities in Perumbavoor.

2. I have heard the learned counsel for the petitioner and the learned Standing counsel for the respondent Board. The learned standing counsel on instructions would submit that, the petitioner has not been relieved from Wayanad only because the respondent Board could not find a suitable replacement for the petitioner at Wayanad. Taking note of the submissions of the learned Standing counsel for the respondent Board and the fact that, there is no decision by the respondent Board to cancel Ext.P1 order of transfer that was issued in respect of the petitioner, I do not see any justification on the part of the respondent Board in retaining the petitioner at Wayanad. Accordingly, there will be a direction to the respondent Board to

relieve the petitioner within a period of two weeks from the date of receipt of a copy of this judgment, so as to enable the petitioner to take up his assignment at Electrical Circle, Perumbavoor.

Counsel for the petitioner would also submit that by Ext.P1 (a) representation, he has approached the respondents with a prayer for considering his transfer to Ernakulam and the same has been pending consideration by respondents without any response from them. Taking note of the said submission, while disposing this writ petition, I also direct the 2nd respondent to consider and pass orders on Ext.P1 (a) representation preferred by the petitioner within a period of one month from the date of receipt of a copy of this judgment, after hearing the petitioner. The petitioner shall produce a copy of the writ petition together with a copy of this judgment before the 2nd respondent for further action in this regard.

The writ petition is disposed as above.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

