

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

WP(C).No. 23784 of 2015 (W)

PETITIONER(S)/PETITIONERS:-:

1. RAJESHKUMAR M.G. AGED 49 YEARS
SUB ENGINEER (ELECTRICAL)
TRANSMISSION CONSTRUCTION SUB DIVISION, KOTTARAKARA
VAIDYUTHI BHAVAN, KOTTARAKARA, KOLLAM - 691 506.
2. ANILKUMAR B.S.
ASSISTANT ENGINEER, ELECTRICAL SECTION, KUDAPPANAKUNNU
THIRUVANANTHAPURAM - 695 043.

BY ADV. SRLS.VISHNU

RESPONDENT(S)/RESPONDENTS:-:

1. KERALA STATE ELECTRICITY BOARD
REPRESENTED BY SECRETARY, VYDYUTHI BHAVAN, PATTOM
THIRUVANANTHAPURAM - 695 004.
2. THE CHIEF ENGINEER (HUMAN RESOURCE MANAGEMENT)
VYDYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM - 695 004.

R BY SRI.K.S.ANIL, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
18-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 23784 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. TRUE COPY OF THE JUDGMENT DATED 01.01.2002 IN O.P.NO.21479/2000 OF THIS HON'BLE COURT.

EXHIBIT P2. TRUE COPY OF THE ORDER NO.EB4-120(C)/1999 DATED 07.02.2003 ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P3. TRUE COPY OF THE JUDGMENT IN W.P.(C)NO.15995/2003 AND O.P.NO.8816/2003 AND CONNECTED CASES OF THE HON'BLE COURT.

EXHIBIT P4. TRUE COPY OF THE COMMUNICATION NO.LAS.III/4944/03 DATED 14.06.2011 ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P5. TRUE COPY OF THE ORDER NO.EB.4(B)/CCC1229/2009 DATED 07.06.2011 ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P6. TRUE COPY OF THE JUDGMENT DATED 02.07.2013 IN W.P.(C) NO.3672/2012 OF THE HON'BLE HIGH COURT.

EXHIBIT P7. TRUE COPY OF THE JUDGMENT DATED 20.12.2014 IN W.P.(C) NO.33142/2014 OF THE HON'BLE HIGH COURT.

EXHIBIT P8. TRUE COPY OF THE JUDGMENT W.P.(C)NO.8734/2015 OF THE HON'BLE HIGH COURT.

EXHIBIT P9: TRUE COPY OF THE JUDGMENT IN WPC 23692/2014 OF THE HON'BLE HIGH COURT OF KERALA

EXHIBIT P10: TRUE COPY OF THE JUDGMENT IN WPC 1084/2015 OF THE HON'BLE HIGH COURT OF KERALA

RESPONDENT(S)' EXHIBITS: NIL

TRUE COPY

P.A TO JUDGE

jma

K.VINOD CHANDRAN, J

W.P.(C).No. 23784 of 2015

Dated this the 18th day of December, 2015

J U D G M E N T

The petitioners are similarly situated like the petitioners in 28130 of 2014, in which a judgment was passed on 04.11.2014 following an earlier judgment of this Court in W.P.(C). No.5493 of 2012 and connected cases. The operative portion of the afore-cited decision is as follows:

“In the facts and circumstances, I do not see any discernible differentiation between the petitioners in the present writ petition on one hand and those in W.P.(C).No.5493/2012 and batch on the other, to deny what is otherwise a legitimate benefit to be given to the petitioners retroactively, though. Thus, the writ petition is allowed. No order as to costs. It is made clear that given the administrative exigencies and inevitable delays, this Court desires to fix a time frame in this regard. Accordingly, this Court directs the respondent Board to pay all the

monetary benefits to the petitioners with effect from 23.07.2000 within three months from the date of receipt of a copy of this judgment”.

Hence, a similar direction shall be issued in the present case also.

The writ petition is allowed. No costs.

Sd/-

K.VINOD CHANDRAN,
Judge

jma

//true copy//

P.A to Judge