

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 18TH DAY OF FEBRUARY 2015/29TH MAGHA, 1936

WP(C).No.27208 of 2013 (A)

PETITIONER:

**C.P.PADMANABHAN,AGED 54 YEARS,S/O.RAMUNNI KURUP,
CONSTABLE/RAILWAY PROTECTION FORCE/SR 8301694,
PASSENGER SECURITY AND TRAIN ESCORT,PALAKKAD,
PERMANENTLY RESIDING AT 'SREE PADMAM',KUTTOTH,
KEEZHAL POST,VIA.VADAGARA,CALICUT DISTRICT.**

**BY ADVS.SRI.T.C.GOVINDA SWAMY
SRI.K.B.S.RAJAN
SMT.KALA T.GOPI
SMT.T.N.SREEKALA**

RESPONDENTS:

- 1. UNION OF INDIA,
REPRESENTED BY THE GENERAL MANAGER,
SOUTHERN RAILWAY,HEADQUARTERS OFFICE,
PARK TOWN P.O.,CHENNAI-600 003.**
- 2. THE DIVISIONAL SECURITY COMMISSIONER,
RAILWAY PROTECTION FORCE,SOUTHERN RAILWAY,
PALAKKAD DIVISIONAL OFFICE,PALAKKAD-678009.**
- 3. THE ADDITIONAL CHIEF SECURITY COMMISSIONER,
RAILWAY PROTECTION FORCE,CHENNAI-600003.**

**R1-R3 BY SRI.V.E.ABDUL GAFOOR,SC, RAILWAYS
BY SRI.C.S.DIAS,SC, RAILWAYS**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 18-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER'S EXHIBITS:

**EXHIBIT-P1:TRUE COPY OF THE MEMORANDUM BEARING NO.J/XP 227/SR
8301694/CPP/DSC/153/6/12 DT.10-12-2012 ISSUED FROM THE OFFICE
OF THE 2ND RESPONDENT.**

**EXHIBIT-P2:TRUE COPY OF THE PROCEEDINGS OF THE INQUIRY CONDUCTED
ON DIFFERENT DATES.**

**EXHIBIT-P3:TRUE COPY OF THE DEFENCE BRIEF DT.12-2-2013 SUBMITTED TO
THE 2ND RESPONDENT.**

**EXHIBIT-P4:TRUE COPY OF THE LETTER BEARING NO.J/XP 227/SR
8301694/CPP/DSC/153/6/12 DT.6-3-2013 ISSUED BY R2
COMMUNICATING THE REPORT OF THE INQUIRY OFFICER.**

**EXHIBIT-P5:TRUE COPY OF THE OBJECTIONS DT.19-3-2013 AGAINST THE
FINDINGS OF THE INQUIRY OFFICER, SUBMITTED TO THE 2ND
RESPONDENT.**

**EXHIBIT-P6:TRUE COPY OF THE PENALTY ADVICE BEARING
NO.J/XP227/SR8301694/CPP/DSC/153/6/12 DT.28-6-2013 ISSUED BY
THE 2ND RESPONDENT.**

**EXHIBIT-P7:TRUE COPY OF THE STATUTORY APPEAL DT.24-8-2013 SUBMITTED
TO THE 3RD RESPONDENT, APPELLATE AUTHORITY.**

RESPONDENT'S EXHIBITS: **NIL**

//TRUE COPY//

P.S.TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C)No.27208 of 2013

Dated this the 18th day of February, 2015

JUDGMENT

The petitioner while working as a Constable of the Railway Protection Force at Palakkad was subjected to disciplinary proceedings. Based on the disciplinary proceedings, a penalty of reduction in Grade Pay from Rs.2,800/- to Rs.2,000/- was imposed on the petitioner for a period of 24 months. This order is under challenge before the third respondent by Ext.P7 appeal. The only limited request made by the petitioner is for an early disposal of Ext.P7 appeal by the third respondent and also to keep the recovery proceedings in abeyance till disposal of Ext.P7.

In view of the above, there shall be a direction to the third respondent to take up Ext.P7 after hearing the petitioner and dispose the same within a period of three

months. Till a decision is taken on Ext.P7, all recovery proceedings pursuant to Ext.P6 shall be kept in abeyance.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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