

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 12TH DAY OF OCTOBER 2015/20TH ASWINA, 1937

WP(C).No. 40523 of 2003 (Y)

PETITIONER:

**K.P. BASHEERA
PART-TIME SWEEPER
KRISHI BHAVAN, KAVALANGAD.**

**BY ADVS.SMT.I.SHEELA DEVI
SMT.REJI RAMACHANDRAN
SMT.MINI K.D.**

RESPONDENTS:

- 1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF AGRICULTURE
GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM.**
- 2. THE DIRECTOR OF AGRICULTURE
THIRUVANANTHAPURAM.**
- 3. THE AGRICULTURE OFFICER
KRISHI BHAVAN, KAVALANGAD.**

BY GOVERNMENT PLEADER SRI. T.R. RAJESH

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS :-

- EXT.P1 - COPY OF THE JUDGMENT DATED 28.08.2003 IN WP(C) NO.24848 OF 2003 AND CONNECTED CASES OF THIS COURT.
- EXT.P2 - COPY OF THE GOVERNMENT ORDER G.O.(P) NO.390/03/ FINANCE DATED 17.07.2003 ISSUED BY THE GOVERNMENT.
- EXT.P3 - COPY OF THE LETTER DATED 18.08.2003 ISSUED BY THE 2ND RESPONDENT TO THE PRINCIPAL AGRICULTURAL OFFICER, ALAPPUZHA.
- EXT.P4 - COPY OF THE ORDER G.O.(P) NO.500/2003/FIN. DATED 25.09.2003 ISSUED BY THE GOVERNMENT.
- EXT.P5 - COPY OF THE CERTIFICATE NO.KB-33/96 DATED 02.06.1997 ISSUED BY THE ASSISTANT ENGINEER, BUILDING SECTION, P.W.D., KOTHAMANGALAM.
- EXT.P6 - COPY OF THE ORDER IN WP(C) NO.31102/2003 DATED 03.10.2003 OF THIS COURT.
- EXT.P7 - COPY OF THE G.O.(P) NO.3000/98/FIN. DATED 25.11.1998 ISSUED BY THE GOVERNMENT.

RESPONDENTS' EXHIBITS:-

- EXT.R1(A) - G.O.(P) NO.501/05/FIN. DATED 25.11.2005.
- EXT.R1(B) - SWEEPING AREA CERTIFICATE ON 05.02.2004.

//TRUE COPY//

P.A. TO JUDGE

K. VINOD CHANDRAN, J.

W.P(C). No.40523 of 2003

Dated this the 12th day of October, 2015.

JUDGMENT

There was an interim order in the above case, directing the petitioner's salary as admissible to be paid, if the service of the petitioner is utilized by the respondents. The same is made absolute. Normally, this Court would have transferred the matter to the Kerala Administrative Tribunal, since the subject matter involves State service. However since the matter has been pending here from so many years, the petitioner would be entitled, if so advised, to move the Kerala Administrative Tribunal and all contentions would then be left open.

The writ petition would stand closed on making the interim order absolute.

Sd/-

**K. VINOD CHANDRAN,
JUDGE**

sp/15/10

//True Copy//

P.A. to Judge.