

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

TUESDAY, THE 30TH DAY OF JUNE 2015/9TH ASHADHA, 1937

WP(C).No. 29188 of 2009 (P)

PETITIONER(S):

**ABINZ SHAMSUDHEEN
S/O. T.E.SHAMSUDHEEN, H.NO.XI/225-C, PADAMUGHAL
ERNAKULAM, THRIKKAKKARA P.O., KOCHI - 21.**

**BY ADVS.SRI.VARGHESE C.KURIAKOSE
SRI.ADEEP ANWAR**

RESPONDENT(S):

- 1. STATE OF KERALA, REP. BY SECRETARY
MINISTRY OF ELECTRICITY, SECRETARIAT, TRIVANDRUM.**
- 2. THE KERALA STATE ELECTRICITY
BOARD, REP.BY ITS SECRETARY, VYDHYUTHI BHAVAN
PATTAM, TRIVANDRUM.**
- 3. THE KERALA PUBLIC SERVICE COMMISSION
REP.BY ITS SECRETARY, PATTAM, TRIVANDRUM.**

**R3 BY ADV. SRI.P.C.SASIDHARAN S.S KPSC
R1 BYSRI P.V.ELIAS, GOVERNMENT PLEADER
R2 BY SRI.K.S.ANIL, STANDING COUNSEL, KSEB**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

JV

WPC NO.29188/2009

APPENDIX

PETITIONER'S EXHIBITS:

- P1 : COPY OF THE DEGREE CERTIFICATE ISSUED BY ANNA UNIVERSITY
- P2 : COPY OF THE GAZATTE NOTIFICATION ISSUED BY THE 2ND
RESPONDENT INVITING APPLICATIONS FOR THE POST OF ASSISTANT
ENGINEER (ELECTRICAL) DATED 31.07.2007
- P3 : COPY OF THE RELEVANT PAGES OF THE SHORT LIST PUBLISHED BY
TEH 2ND RESPONDENT
- P4 : COPY OF THE GO(MS) NO.25/67/PW DATED 03.02.1967
- P5 : COPY OF THE RELVANT PAGES OF THE INDIAN ELECTRICITY RULES,
1956
- P6 : COPY OF THE INTERIM ORDER PASSED IN WPC NO.16862/2009 DATED
18.06.2009
- P7 : COPY OF THE RELEVANT PAGES OF THE RANK LIST PUBLISHED FOR
THE POST OF ASSISTANT ENGINEER (ELECTRICAL)
- P8 : COPY OF THE REPORT DOWNLOADED FROM THE WEBSITE OF
MALAYALA MANORMA
- P9 : COPY OF THE LETTER DATED 27.06.2009 RECEIVED FROM THE
KERALA UNIVERSITY VIDE NO.PPRD/PI0/RTI/2164/2009

RESPONDENTS' EXHIBITS: N I L

//TRUE COPY//

P.A. TO JUDGE

JV

ANIL K. NARENDRAN, J.

W.P.(C) No.29188 of 2009

Dated this the 30th day of June, 2015

JUDGMENT

The petitioner, who is holding Bachelor Degree in Electrical & Electronics Engineering, has filed this writ petition seeking a writ of certiorari to quash Ext.P7 ranked list published by the Kerala Public Service Commission for the post of Assistant Engineer (Electrical) in the Kerala State Electricity Board, in so far as it includes the 4th respondent and other similarly placed persons who are the Degree Holders in 'Electronics & Communication Engineering' and 'Electronics & Telecommunications Engineering', since it is not equivalent to Bachelor Degree in 'Electrical & Electronics Engineering'. He has also sought for a declaration that, Bachelor Degree in 'Electronics & Telecommunication Engineering' and that in 'Electronics & Communication Engineering' are not equivalent to the Bachelor Degree in 'Electrical & Electronics Engineering' and therefore, Ext.P2 Gazette notification inviting applications for the post of Assistant Engineer (Electrical) in the Kerala State Electricity Board is against the statutes.

2. Alongwith the writ petition, the petitioner has also filed an application which is yet to be numbered, to implead one Shaju C.S., Chettuthadathil House, Santhipuram, Nedungadappally, Kottayam as 4th respondent in his personal capacity and also to represent all the persons included in Ext.P7 ranked list.

3. By order dated 15.10.2009, this Court ordered that, the ranked list, pursuant to Ext.P3 short list will be subject to the decision in this writ petition and it shall be so mentioned in the ranked list.

4. The 4th respondent referred to in the writ petition is yet to be made a party to this writ petition. The petitioner has also not taken any steps to implead him in a representation capacity to represent the candidates included in Ext.P7 ranked list and for effecting any paper publication. Further, the validity of Ext.P7 ranked list, which came into force with effected from 16.09.2009 had already expired. The learned Standing Counsel for the Board would submit that W.P.(C) No.16862 of 2009 referred to in paragraph 8 of the statement of facts in this writ petition has already been dismissed by judgment dated 22.01.2015.

In such circumstances, the petitioner is not entitled for any

of the reliefs prayed for in the writ petition and the same is dismissed.

JV

SD/-
ANIL K. NARENDHAN,
JUDGE