

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 20TH DAY OF AUGUST 2015/29TH SRAVANA, 1937

WP(C).No. 25527 of 2015 (M)

PETITIONERS:

- 1. P.K.SIVADAS, AGED 51 YEARS
SON OF K KUTTAPPA PANICKER
MECHANIC GRADE II, THODUPUZHA DEPOT
KERALA STATE ROAD TRANSPORT CORPORATION
RESIDING AT CHERUKATTIL HOUSE,
PEERIMEDU, IDUKKI 685 531**
- 2. K.K. SADANANDAN, AGED 51 YEARS
SON OF K.P. KUMARAN, MECHANIC GRADE II,
THODUPUZHA DEPOT,
KERALA STATE ROAD TRANSPORT CORPORATION
RESIDING AT KANDATHIPURACKAL, VANAPPURAM P.O.,
THODUPUZHA, IDUKKI**
- 3. P.M. KURIACHAN, AGED 51 YEARS
SON OF MATHAI, MECHANIC GRADE II,
THODUPUZHA DEPOT,
KERALA STATE ROAD TRANSPORT CORPORATION
RESIDING AT PARAYIL, KANJAAR P.O.,
THODUPUZHA, IDUKKI**
- 4. P.J. LUKA, AGED 51 YEARS
SON OF P.S. JOSEPH,
MECHANIC GRADE II,
THODUPUZHA DEPOT,
KERALA STATE ROAD TRANSPORT CORPORATION
RESIDING AT PUTHIYAVEETTIKUNAMPURATHU HOUSE,
KUMMUNOOR P.O.,
PALA, KOTTAYAM 686 572**
- 5. THOMAS BENNY KORAH, AGED 52 YEARS
SON OF KORAH, MECHANIC GRADE II,
THODUPUZHA DEPOT,
KERALA STATE ROAD TRANSPORT CORPORATION
RESIDING AT VADAKKEKUZHIKATTIL HOUSE
AMAYANOOR P.O.,
KOTTAYAM DISTRICT**
- 6. ANILKUMAR K.S., AGED 51 YEARS,
SON OF SAHADEVAN K.N., MECHANIC GRADE II,
ADOOR DEPOT,
KERALA STATE ROAD TRANSPORT CORPORATION
RESIDING AT ANANDU BHAVAN, CHENIRKARA P.O.
PATHANAMTHITTA DISTRICT, 689 517**

- 7. V.P.VINOD KUMAR, AGED 44 YEARS,
SON OF PADMANABHAN
MECHANIC GRADE II,
PANTHALAM DEPOT,
KERALA STATE ROAD TRANSPORT CORPORATION
RESIDING AT VINOD BHAVAN, ULLANUR P.O.,
KULANGARA, PATHANAMTHITTA 689 503**
- 8. M.S. BALAKRISHNAN, AGED 44 YEARS
SON OF T.P. SIVAN, MECHANIC GRADE II,
RANNI DEPOT,
KERALA STATE ROAD TRANSPORT CORPORATION
RESIDING AT MURALI BHAVAN, EDAKULAM RANNI,
PATHANAMTHITTA DISTRICT 689 672**
- 9. P.R. BENU, AGED 44 YEARS
SON OF P.A. RAJAPPAN, MECHANIC GRADE II,
RANNI DEPOT,
KERALA STATE ROAD TRANSPORT CORPORATION
RESIDING AT POWATH, THOTTAMON
RANNI P.O., PATHANAMTHITTA 689 672**
- 10. K. RADHAKRISHNA KURUP, AGED 48 YEARS,
SON OF K. KUNJAN PILLAI
MECHANIC GRADE II,
ADOOR DEPOT,
KERALA STATE ROAD TRANSPORT CORPORATION
RESIDING AT BHARATHI VILASAM BUNGLOW
PAZHAKULAM WEST P.O., PATHANAMTHITTA DISTRICT 691 527**
- 11. HARIS H. SON OF A.M. HANEEF,
AGED 43 YEARS, MECHANIC GRADE II
ERATTUPETA DEPOT,
KERALA STATE ROAD TRANSPORT CORPORATION
RESIDING AT PUTHIYAPARAMBIL HOUSE
NADACKEL P.O., ERATTUPETA
KOTTAYAM DISTRICT.**
- 12. P.R. VIJAYAKUMAR, AGED 52 YEARS
SON OF P.K. RAGHAVAN NAIR
MECHANIC GRADE II,
ERATTUPETTA DEPOT,
KERALA STATE ROAD TRANSPORT CORPORATION
RESIDING AT PANDANATHU HOUSE,
MADAKKUNNU P.O., KOTTAYAM DISTRICT**
- 13. SHYLAN, AGED 46 YEARS
SON OF VASU, MECHANIC GRADE II,
ERATTUPETTA DEPOT,
KERALA STATE ROAD TRANSPORT CORPORATION
RESIDING AT ONATTUKAROTTU HOUSE
PATHAMUTTOM P.O., KOTTAYAM DISTRICT**

BY ADV. SMT.AMBILY (PREMKUMAR)

WP(C).No. 25527 of 2015 (M)

RESPONDENT:

**KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY ITS MANAGING DIRECTOR
TRANSPORT BHAVAN, FORT,
THIRUVANANTHAPURAM 695 023**

BY SRL.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 25527 of 2015 (M)

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT. P1: COPY OF THE G.O.(MS) NO. 78/2011/TRAN DATED 22.12.2011 ISSUED BY THE GOVERNMENT OF KERALA**
- EXT. P2: COPY OF THE REPRESENTATION DATED 6.6.2015 SUBMITTED BY THE PETITIONERS 1 TO 3 BEFORE THE RESPONDENT**
- EXT. P3: COPY OF THE JUDGMENT DATED 9.4.2015 IN W.P.(C). NO. 11937 OF 2015 OF THIS HONOURABLE COURT**

RESPONDENT'S EXHIBITS:-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V.CHITAMBARESH, J.

W.P (C) No.25527 of 2015

Dated this the 20th day of August, 2015

J U D G M E N T

The issue is covered by the common judgment dated 20.02.2015 by the Larger Bench of this Court in **K.L. Francis v. Kerala State Road Transport Corporation and Others [2015 (1) KLT 1051 (LB)]**. Therefore the provisional services put in by the petitioners prior to their regular appointment on the advice of the Kerala Public Service Commission is liable to be reckoned for pension. It is declared that the said dictum covers the case of the petitioners also to whom the benefits of the Larger Bench decision of this Court shall be extended.

2. The respondent submits that a Special Leave Petition is filed against the common judgment of the Larger Bench before the Supreme Court and that orders are awaited. I make it clear that the implementation of the judgment of the Larger Bench of

this Court as regards the petitioners would also be subject to the modification if any by the Supreme Court in the Special Leave Petition filed. The respondent is directed to do the needful in the case of the petitioners within a period of three months from the date of receipt of a copy of this judgment.

The writ petition is disposed of.

**V.CHITAMBARESH,
JUDGE.**

DCS.