

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

MONDAY, THE 30TH DAY OF MARCH 2015/9TH CHAITHRA, 1937

WP(C).No. 26360 of 2014 (T)  
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PETITIONER:  
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VANILKUMAR, DRIVER GRADE II (ON OTHER DUTY)  
KSRTC PALODE DEPOT STORE  
(UNDER NEDUMANGAD DEPOT)  
THIRUVANANTHAPURAM-695 562.

BY ADVS. SRI. B. RAGUNATHAN  
SRI. M. SALIM  
SRI. P. KARTHIKEYAN  
SRI. R. SRINATH  
SRI. P. PRASANTH  
SRI. V. M. JACOB

RESPONDENTS:  
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1. KERALA STATE ROAD TRANSPORT CORPORATION  
REPRESENTED BY CHAIRMAN & MANAGING DIRECTOR, KSRTC  
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM-695 023.
2. DISTRICT TRANSPORT OFFICER,  
KSRTC, NEDUMANGAD DEPOT, NEDUMANGAD  
THIRUVANANTHAPURAM-695 541.
3. ASSISTANT TRANSPORT OFFICER,  
KSRTC, NEDUMANGAD DEPOT, NEDUMANGAD  
THIRUVANANTHAPURAM-695 541.

BY SRI. M. GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30-03-2015,  
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**APPENDIX**

**PETITIONER(S)' EXHIBITS**

- EXHIBIT P1 : TRUE COPY OF THE TREATMENT CERTIFICATE ISSUED BY DEPARTMENT OF PHYSICAL MEDICINE & REHABILITATION, MEDICAL COLLEGE, THIRUVANANTHAPURAM DATED 24.1.2014.
- EXHIBIT P2 : TRUE COPY OF THE DISABILITY CERTIFICATE DATED 12.3.2014 ISSUED BY THE DISTRICT MEDICAL OFFICE OF HEALTH, THIRUVANANTHAPURAM.
- EXHIBIT P3 : TRUE COPY OF MEMORANDUM NO.PL 14/015940/14 DATED 9.7.2014 OF THE 1ST RESPONDENT.
- EXHIBIT P3(a) : ENGLISH TRANSLATION OF EXHIBIT-P3.
- EXHIBIT P4 : TRUE COPY OF ORDER NO.E2/2768/14/NDD DATED 11.7.2014 OF THE 2ND RESPONDENT.
- EXHIBIT P4(a) : ENGLISH TRANSLATION OF EXHIBIT-P4.
- EXHIBIT P5 : TRUE COPY OF THE NOTE (UNDATED) ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT P6 : TRUE COPY OF ORDER NO.DL1/35112/10 DATED 31.3.2011 OF THE 1ST RESPONDENT (RELEVANT PORTION).
- EXHIBIT P7 : TRUE COPY OF THE APPLICATION, PROFORMA AND THE BOND IN STAMP PAPER (DATED 22.3.2014) INCORPORATING THE CONDITIONS.
- EXHIBIT P7(a) : ENGLISH TRANSLATION OF EXHIBIT-P7.
- EXHIBIT P8 : TRUE COPY OF THE REPRESENTATION DATED 4.10.2014.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

**V. CHITAMBARESH, J**

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**WP(C) NO. 26360 OF 2014**  
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Dated this the 30<sup>th</sup> day of March, 2015

**JUDGMENT**

The petitioner seeks category change on the ground that he is physically disabled. The provisions of the Persons with Disability (Equal Opportunities and Protection of Rights and Full participation) Act, 1995 are also relied on. Ext.P7 application in the requisite proforma is also pending consideration with the first respondent.

2. I direct the first respondent to consider Ext.P7 application with notice to the petitioner and taking note of the statutory provisions aforequoted. The educational qualification of the petitioner as well as his physical disability shall be taken into consideration for the category change. The consideration shall be made within a period of two months from the date of receipt of a copy of this judgment.

3. The petitioner shall be continued on light duty pursuant to Ext.P3 memorandum and also the interim order of

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this court dated 10.10.2014. The status quo shall continue till orders are passed on Ext.P7 application as directed above.

The Writ Petition is disposed of.

**V. CHITAMBARESH  
JUDGE**

ncd