

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

WP(C).No. 26187 of 2015 (W)

PETITIONER(S):

**SABU THOMAS
HELPER
KERALA STATE CENTRE FOR ADVANCED PRINTING &
TRAINING [C-APT]
SUB CENTRE, KOTTAYAM, PALA
RESIDING AT 'MOOSARIYETTU', KADAPOOR, VATTUKULAM.P.O.
KOTTAYAM DISTRICT.**

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENT(S):

- 1. KERALA STATE CENTRE FOR ADVANCED PRINTING &
TRAINING (C-APT)
HEAD OFFICE COMPLEX, VATTIYOORKAVU
THIRUVANANTHAPURAM-695 013. REP. BY ITS MANAGING
DIRECTOR.**
- 2. THE MANAGING DIRECTOR
KERALA STATE CENTRE FOR ADVANCED PRINTING &
TRAINING (C-APT)
HEAD OFFICE COMPLEX, VATTIYOORKAVU
THIRUVANANTHAPURAM-695 013.**
- 3. OFFICER-IN-CHARGE
KERALA STATE CENTRE FOR ADVANCED PRINTING &
TRAINING (C-APT)
SUB CENTRE, NELLIYANI, VELLICHIRA
PALA, KOTTAYAM.686 104.**

**R2 BY ADV. SMT.K.K.RAZIYA , SC, CENTERC FOR ADVANCED
PRINTING & TRA
R BY SMT.K.K.RAZIYA , SC, CENTERC FOR ADVANCED PRINTING**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT. P1- A TRUE COPY OF THE ORDER NO.KSAVRC/2221/2000/12/3085
DT. 05.03.2001 ISSUED BY THE 2ND RESPONDENT TO THE
PETITIONER.
- EXT. P2- A TRUE COPY OF THE ORDER NO.KSAVRC/2221/2000/12/3085
DT. 13.03.2001 OF THE 2ND RESPONDENT TO THE PETITIONER.
- EXT. P3- A TRUE COPY OF THE JUDGEMENT DT. 18.03.2015 IN
W.P[C]NO.30766/2014-U ON THE FILE OF THIS HON'BLE COURT.
- EXT. P4- A TRUE COPY OF THE ORDER NO.C-APT.1000/13/EST DT.
13.08.2015 ISSUED BY THE 2ND RESPONDENT.
- EXT. P5- A TRUE COPY OF THE NEWS REPORT PUBLISHED IN
DESABHIMANI DAILY DT. 8.8.2015.
- EXT. P6- A TRUE COPY OF THE NEWS REPORT PUBLISHED IN
MANGALAM DAILY DT. 11.08.2015.

RESPONDENT(S)' EXHIBITS:

- EXT.R1(A) COPY OF THE REQUEST DATED 24.07.15.
- EXT,R1(B) COPY OF THE ACKNOWLEDGMENT OF THE PETITIONER DATED
20.08.15
- EXT.R1(C) COPY OF THE APPOINTMENT ORDER 05.03.01.

// TRUE COPY //

PA TO JUDGE.

SB

K. VINOD CHANDRAN, J.

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W.P.(C) No.26187 of 2015 - W

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Dated this the 28th day of September, 2015

J U D G M E N T

The petitioner is before this Court objecting to the transfer of the petitioner from Kottayam to Kozhikode on the ground that the same was issued with a malafide intention to wreak vengeance on the petitioner, who had been the first petitioner in a writ petition filed against the respondent and a subsequent contempt case.

2. The respondent has filed a counter affidavit, in which it is clearly stated that it was only due to administrative exigencies that the transfer was effected, and relies on Ext.R1(a), of the Kerala State Centre for Advanced Printing and Training Sub Centre, Kozhikode.

3. It is stated in Ext.R1(a) that one Suresh B.K is unable to carry on the printing work due to allergy and hence a new helper having knowledge of printing be posted. It is also stated in Ext. R1(a) that the Kozhihkode centre does not have enough financial capacity to pay one more staff and hence has requested that Suresh B.K, helper may be transferred from that centre.

4. However no such transfer has been effected and the learned Standing Counsel appearing for the respondent would state that the said Suresh B.K is now working as an Office Attendant. A reply affidavit has also been filed specifically pointing out that helpers who were given training in printing at Sivakasi has now joined the respondent.

5. In such circumstance, it is only proper that the petitioner, who had not been given any training in printing be posted back to Kottayam and the 2nd respondent shall if

necessary depute a person with knowledge of printing to Kozhikode. The transfer order at Ext.P2 is set aside and the respondent is directed to post the petitioner back to Kottayam, within a period of two weeks from the date of receipt of a certified copy of this judgment.

The writ petition would stand allowed.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

SB

// true copy //

P.A to Judge.