

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 25TH DAY OF SEPTEMBER 2015/3RD ASWINA, 1937

WP(C).No. 26802 of 2014 (A)

PETITIONER:

**P.K.KUMARI
PART TIME SWEEPER, P H DIVISION, IDUKKI
KERALA WATER AUTHORITY, THODUPUZHA, IDUKKI DIST**

**BY ADVS.SRI.R.RAJASEKHARAN PILLAI
SMT.SABINA JAYAN
SRI.R.SREEDHARAN NAIR**

RESPONDENTS:

**THE KERALA WATER AUTHORITY
REP BY ITS MANAGING DIRECTOR, JALA BHAWAN
THIRUVANANTHAPURAM-33**

R BY SRI.JOSEPH JOHN, SC, KERALA WATER AUTHORITY

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
25-09-2015, ALONG WITH WPC NOS. 26806/2014 & 26868/2014 THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- P1:- TRUE COPY OF THE ORDER DTD NO KWA/JB/SWCC/12957 DTD 5/1/1999 OF THE CHIEF ENGINEER AND RELEVANT EXTRACT OF THE SENIORITY LIST**
- P2:- TRUE COPY OF THE ORDER NO G.O(P)NO 501/2005/FIN DTD 25/11/2005 OF THE GOVERNMENT**
- P3:- TRUE COPY OF THE CIRCULAR NO KWA/JB/E 13/6473/2006, DTD 19/5/2006 OF THE RESPONDENT**
- P4:- TRUE COPY OF THE JUDGMENT DTD 3/7/2012 IN WPC 26569 /2010 OF THIS HON'BLE COURT**
- P5:- TRUE COPY OF CIRCULAR/SENIORITY LIST NO KWA/JB/E13/9078/VOL.III/2006 ISSUED BY THE IST RESPONDENT**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

JJJ

K. VINOD CHANDRAN, J.

W.P.(C) Nos. 26802, 26806 & 26868 of 2014

Dated this the 25th day of September, 2015

J U D G M E N T

The issue raised in all the above writ petitions is with respect to the retrospective regularisation of the petitioners who are employed as Part Time Sweepers in the respondent Authority.

2. A similar issue was considered by a learned Single Judge of this Court, who relied on G.O.(P) No.501/2005/Fin. dated 25.11.2005. The denial of retrospective regularisation was held to be contrary to the mandate in the said Government Order.

3. Following the aforesaid judgment, the impugned orders (Ext.P5, Ext.P4 and Ext. P7 in W.P.(C) Nos. 26802/2014, 26806/2014 and 26868/2014 respectively) are set aside. It is made clear that in view of the aforesaid Government Order and binding precedent referred to above, the services of the petitioners under the respondent

Authority shall be deemed to have been regularised with effect from 18.06.2001, as has been directed in the aforesaid judgment. The respondent Water Authority shall quantify the monetary benefits due to the petitioners, in accordance with the aforesaid judgment, within a period of three months from the date of receipt of the certified copy of this judgment and disburse the amounts, if any, due to the petitioners immediately thereafter.

Sd/-
K.VINOD CHANDRAN,
JUDGE