

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 19TH DAY OF OCTOBER 2015/27TH ASWINA, 1937

W.P.(C).No.26663 of 2015 (G)

PETITIONER(S):-

SEENIA V.S., AGED 45 YEARS, W/O. CHANTHU,
SENIOR ASSISTANT,
ELECTRICAL CIRCLE OFFICE, KOLLAM,
RESIDING AT PANDALAKKAL, 184-C, PANTHRANDU MURI NAGAR,
THATTAMALAP.O, ERAVIPURAM, KOLLAM DISTRICT

BY ADV. SRI.B.MOHANLAL.

RESPONDENT(S):-

1. THE KERALA STATE ELECTRICITY BOARD LIMITED,
REPRESENTED BY ITS SECRETARY,
VYDYUTHI BHAVAN, PATTOM P.O, THIRUVANANTHAPURAM-4.
2. THE CHIEF ENGINEER (HRM),
THE KERALA STATE ELECTRICITY LIMITED,
VYDYUTHI BHAVAN, PATTOM P.O, THIRUVANANTHAPURAM-4.
3. THE DEPUTY CHIEF ENGINEER,
THE KERALA STATE ELECTRICITY BOARD LIMITED,
ELECTRICAL CIRCLE, KOLLAM 691 001.

R1 to R3 BY STANDING COUNSEL SRI.K.S.ANIL.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
19-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No.26663 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS:-

- EXHIBIT P1 THE TRUE COPY OF THE TREATMENT CERTIFICATE
DATED 08/02/2014 ISSUED BY THE REGIONAL CANCER CENTRE,
THIRUVANANTHAPURAM TO THE PETITIONER.
- EXHIBIT P2 THE TRUE COPY OF THE ORDER PROTECTED THE PETITIONER
FROM GENERAL TRANSFER 2015 ISSUED BY THE
2ND RESPONDENT.
- EXHIBIT P3 THE TRUE COPY OF THE TRANSFER ORDER DATED 01/09/2015
ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT P4 TRUE COPY OF THE ORDER ISSUED BY THE 2ND RESPONDENT
SHOWING THE ENDORSEMENT OF 5 YEARS FOR TRANSFER.
- EXHIBIT P5 TRUE COPY OF THE OFFICE ORDER 29/04/2015 ISSUED BY
THE 3RD RESPONDENT TO THE PETITIONER.

RESPONDENT(S)' EXHIBITS:-

NIL.

Vku/-

[true copy]

K. Vinod Chandran, J

W.P.(C).No.26663 of 2015-G

Dated this the 19th day of October, 2015

JUDGMENT

The petitioner is aggrieved with the fact that, the petitioner has been transferred to Electrical Division, Chathannoor, Kollam from the Electrical Circle Office, Kollam. The petitioner contends that she has been suffering from 'Carcinoma Ovary' and is under treatment, as is indicated at Exhibit P1 and it is, hence, that on medical grounds she was granted protection under Exhibit P2. The transfer now made at Exhibit P3, in fact, violates Exhibit P2, is the contention raised.

2. The learned counsel for the 3rd respondent-Board submits that the petitioner has been in the same office at Electrical Circle Office, Kollam for the last three years and she had been continuing under the same Circle from 2004 onwards.

3. The contention in the counter affidavit that the present transferred post is more convenient to the petitioner, going by the address in the service book cannot be countenanced, since the petitioner submits that after marriage she has shifted her residence, which is also evident from the

address shown in the writ petition. In any event, since the petitioner was granted protection, it could also be looked into whether the petitioner can be accommodated in a nearby office, considering the distance from the residence of the petitioner.

4. In such circumstance, the petitioner or her representative shall appear before the 2nd respondent on 21.10.2015, upon which the 2nd respondent shall give a date of hearing and orders passed, at any rate, on or before 31.10.2015. The authority shall consider the case of the petitioner with reference to the medical condition of the petitioner. The petitioner shall not be shifted till that time and the petitioner shall concede to the orders passed by the 2nd respondent.

The writ petition is disposed of as above.

Sd/-

K.Vinod Chandran
Judge.

vku/-

[true copy]