

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937

WP(C).No. 29341 of 2015 (P)

PETITIONER:

**HAREENDRAN KOCHOTHU AGED 55 YEARS
BEER UNIT OFFICER, RESTAURANT & PARLOUR, KANNUR
RESIDING AT THACHILODY HOUSE, MAMBA P.O., KANNUR.**

**BY ADVS.SRI.S.MOHAMMED AL RAFI
SRI.KURIAN GEORGE KANNANTHANAM (SR.)**

RESPONDENTS:

**1. KERALA TOURISM DEVELOPMENT CORPORATION LIMITED
REPRESENTED BY MANAGING DIRECTOR, MASCOT SQUARE
P.B.NO.5424, THIRUVANANTHAPURAM - 695 033.**

**2. PRASAD P.S.
UNIT OFFICER, RESTAURANT AND BEER PARLOUR, QUILANDI
KOZHIKODE - 673 620.**

R1 BY ADV. SRI.THOMAS MATHEW NELLIMOOTTIL, SC, KTDC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
15-12-2015, ALONG WITH W.P.(C) 31033/2015 THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:**

WP(C).No. 29341 of 2015 (P)

APPENDIX

PETITIONER'S EXHIBITS

- EXT.P-1: TRUE COPY OF THE ORDER NO.KTDC/PA1/2247/2015 DATED 15.9.2015
ISSUED BY THE IST RESPONDENT**
- EXT.P-2: TRUE COPY OF THE ORDER NO.KTDC/PA1/2247/2015 DATED 19.9.2015
ISSUED BY THE IST RESPONDENT**
- EXT.P-3: TRUE COPY OF THE NEWS REPORT DATED 19.9.2015 APPEARED IN
RASHTRA DEEPIKA**
- EXT.P-4: TRUE COPY OF THE ORDER NO.597/2015/SEC DATED 21.9.2015 ISSUED
BY THE KERALA STATE ELECTION COMMISSION**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

JJJ

K. VINOD CHANDRAN, J.

W.P.(C) Nos. 29341 & 31033 of 2015

Dated this the 15th day of December, 2015

J U D G M E N T

The petitioner, an employee of the respondent Corporation, has filed W.P.(C) No.29341/2015 challenging a transfer order. The petitioner did not obtain any interim order in the above writ petition. The petitioner did not comply with the order of transfer and did not handover charge to the person who was posted in his place, on which allegation the petitioner was suspended from service, which was challenged in W.P. (C) No.31033/2015.

2. The learned Standing Counsel appearing for the respondent Corporation submits that even the suspension order was not accepted by the petitioner.

The petitioner himself has produced the suspension order as Ext.P4 in W.P.(C) No.31033/2015.

3. In such circumstance, it is only appropriate that if the respondent Corporation intends to initiate proceedings, the same be completed in a time bound manner. The memo of charges shall be issued within one week from the date of receipt of the certified copy of this judgment and the petitioner shall, within ten days thereafter, submit his explanation. The respondent Corporation or the authority issuing the charge sheet shall consider the explanation and decide on the course of action within two weeks from the date of submission of the objection; and if it is decided to initiate an enquiry proceeding, the enquiry proceedings shall be closed within two months from the date of initiation of enquiry.

Writ petitions are disposed of. No Costs.

Sd/-
K.VINOD CHANDRAN,
JUDGE