

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

WP(C).No. 29682 of 2015 (I)

PETITIONER(S):

**CHARLES ALMEDA,
SENIOR LIGHT VEHICLE DRIVER (B), STAFF CODE NO.21051,
TRANSPORT OPERATION MAINTENANCE DIVISION,
VIKRAM SARABHAI SPACE CENTRE, THIRUVANANTHAPURAM.**

**BY DR.K.P.SATHEESAN, SENIOR ADVOCATE.
ADVS. SRI.P.MOHANDAS (ERNAKULAM),
SRI.ANOOP.V.NAIR,
SRI.S.VIBHEESHANAN,
SRI.K.SUDHINKUMAR.**

RESPONDENT(S):

- 1. VIKRAM SARABHAI SPACE CENTRE,
REPRESENTED BY ITS DIRECTOR, GOVERNMENT OF INDIA,
DEPARTMENT OF SPACE, THIRUVANANTHAPURAM-695 022.**
- 2. THE DIRECTOR,
VIKRAM SARABHAI SPACE CENTRE, GOVERNMENT OF INDIA,
DEPARTMENT OF SPACE, THIRUVANANTHAPURAM-695 022.**
- 3. V.S.S.C. SPORTS COUNCIL,
REPRESENTED BY ITS SECRETARY,
MR. VIJAYAKUMARAN NAIR. M,
VIKRAM SARABHAI SPACE CENTRE, GOVERNMENT OF INDIA,
DEPARTMENT OF SPACE, THIRUVANANTHAPURAM-695 022.**
- 4. THE DISTRICT SPORTS COUNCIL,
REPRESENTED BY ITS SECRETARY,
SPORTS COUNCIL OFFICE, STATUE,
THIRUVANANTHAPURAM-695 001.**
- 5. VIPIN M., TECHNICIAN D., A.T.V.P.,
VIKRAM SARABHAI SPACE CENTRE,
THIRUVANANTHAPURAM-695 022.**
- 6. DHIRAJ KUMAR JHA, SCI/ENGR.SE, M.D.A.D.,
VIKRAM SARABHAI SPACE CENTRE,
THIRUVANANTHAPURAM-695 022.**

7. SANAL KUMAR S., TECHNICIAN G., R.P.P.,
VIKRAM SARABHAI SPACE CENTRE,
THIRUVANANTHAPURAM-695 022.
 8. AMESH K.N., TECHNICIAN B., A.P.E.P.,
VIKRAM SARABHAI SPACE CENTRE,
THIRUVANANTHAPURAM-695 022.
 9. VINCENT MASCRINAS, FIREMAN C., S.F.D.,
VIKRAM SARABHAI SPACE CENTRE,
THIRUVANANTHAPURAM-695 022.
 10. DEEPAK MALAYAMUKKIL, TECHNICIAN F, A.P.E.P.,
VIKRAM SARABHAI SPACE CENTRE,
THIRUVANANTHAPURAM-695 022.
 11. NISANTH S., SENIOR ASSISTANT, A.P.E.P.
VIKRAM SARABHAI SPACE CENTRE,
THIRUVANANTHAPURAM-695 022.
 12. RENJITH T.K., TECHNICIAN D., A.P.E.P.,
VIKRAM SARABHAI SPACE CENTRE,
THIRUVANANTHAPURAM-695 022.
 13. SHIBUMON A.S., TECHNICIAN F., A.P.E.P.,
VIKRAM SARABHAI SPACE CENTRE,
THIRUVANANTHAPURAM-695 022.
 14. SHAJAHAN J.,
SENIOR PROJECT ASSISTANT, A.V.N.,
VIKRAM SARABHAI SPACE CENTRE,
THIRUVANANTHAPURAM-695 022.
 15. SREEKUMAR K.S., TECHNICIAN F1, C.S.L.,
VIKRAM SARABHAI SPACE CENTRE,
THIRUVANANTHAPURAM-695 022.
- R1 TO R3 BY ADV. SRI.N.NAGARESH, ASSIST. S.G. OF INDIA.
ADV. SRI.A.R.GANGADAS, CGC.
R4 BY ADV. SMT.LATHA ANAND, SC.
R10 & R13 BY ADV. SRI.P.K.RAVISANKAR.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14-10-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXHIBIT P1: TRUE COPY OF THE NOTIFICATION ISSUED BY THE RETURNING OFFICER DATED 20.12.2013.**
- EXHIBIT P2: TRUE COPY IF THE MINUTES OF THE MEETING OF THE 3RD RESPONDENT DATED 04.06.2015.**
- EXHIBIT P3: TRUE COPY OF THE PRELIMINARY LIST PUBLISHED BY THE ADMINISTRATIVE OFFICER OF THE FIRST RESPONDENT ORGANIZATION BY CIRCULAR DATED 17.08.2015.**
- EXHIBIT P4: TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 27.07.2015.**
- EXHIBIT P5: TRUE COPY OF THE JUDGMENT DATED 18.08.2015 IN WP(C).NO. 25172/2015.**
- EXHIBIT P6: TRUE COPY OF THE FINAL LIST AS NO.12.3/12/PER DATED 22.09.2015 ISSUED BY THE ADMINISTRATIVE OFFICER OF PERSONNEL SECTION OF THE FIRST RESPONDENT.**
- EXHIBIT P7: TRUE COPY OF THE MINUTES OF THE MEETING OF VSSC SPORTS COUNCIL DATED 23/10/2013.**
- EXHIBIT P8: TRUE COPY OF THE MINUTES OF THE MEETING HELD ON 17/09/2015.**

RESPONDENT'S EXHIBITS:-

- EXT.R1A COPY OF THE COMMUNICATION DATED 30/07/2015 ISSUED BY THE UNDER SECRETARY DEPT. OF SPACE.**
- EXT.R1B COPY OF THE REPLY DATED 05/10/2015 DISPOSING THE REPRESENTATION SUBMITTED BY THE PETITIONER.**

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.29682 of 2015

Dated this the 14th day of October, 2015

JUDGMENT

This writ petition is filed by the member of Vikram Sarabhai Space Centre Sports Council, Thiruvananthapuram. The writ petition pertains to Inter Centre Sports Meet, 2015 scheduled at SCL, Chandigarh and team selection by the Director to represent the Vikram Sarabhai Space Centre.

2. In the meeting of Vikram Sarabhai Space Centre Sports Council on 4.6.2015, it was decided as follows:

“Selection trials for all the games except Tennikoit, Lawn Tennis & Ball Badminton will be conducted by two member team from Trivandrum District Sports Council along with identified Officials from VSSC as shown above. Council authorized Shri.Rajan TC & Shri.Vijayakumaran Nair to certify the selection list of all games.”

3. The petitioner's case is that the present selection now made is in violation of the above decision in as much as no two members who are invited from Thiruvananthapuram District Council

to oversee the selection. This fact is also affirmed by the standing counsel for the Sports Council.

4. In this matter, a counter affidavit has been filed on behalf of the first respondent. It is stated that the selection trials were conducted and only qualified persons included in the team now selected. It is also pointed out that there was no irregularity in the selection process.

5. Learned counsel for the party respondents would submit that the petitioner has not impleaded all the persons who are selected. It is submitted that there are above 124 personnels were selected to represent Vikram Sarabhai Space Centre Sports Council. Essentially, the question is relating to the transparency of selection to represent the Centre. It is to ensure the transparency, it was decided that there shall be two nominees from Sports Council to oversee the selection. The petitioner raises various illegality in the process of selection.

This Court is of the view, in the absence of all the persons who have approached before this Court, the second respondent shall take a decision within three days from the date of receipt of a copy of

this judgment whether the selection was in consonance with the decision of the Sports Council. It is also open for the second respondent to find out whether the selection was in the transparent manner. If the second respondent is satisfied that the selection was in violation of the decision as well as it was not in transparent manner, the second respondent can cancel the selection already done and order fresh selection. Appropriate decision shall be taken within three days taking note of the fact the event is scheduled in the month of November, 2015.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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