

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

MONDAY, THE 16TH DAY OF NOVEMBER 2015/25TH KARTHIKA, 1937

WP(C).No. 30086 of 2015 (I)

PETITIONERS:-

1. DR.JANARDHANAN E.V.,
ASSISTANT MANAGER (P&I), THRISSUR DAIRY,
ERNAKULAM REGIONAL CO-OPERATIVE MILK PRUDUCERSUNION
LTD.NO.E-150(D), EDAPPALLY KOCHI - 682 024.
2. THOMAS ABRAHAM, ASSISTANT MANAGER,
THRIPPUNITHURA DAIRY,
ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERSUNION LTD.NO.E-150(D),
EDAPPALLY KOCHI - 682 024.
3. ANILKUMAR T.V., ASSISTANT MARKETING OFFICER,
THRISSUR DAIRY, ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERSUNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
4. PRAJITHA K.R., TECHNICAL SUPERINTENDENT,
THRISSUR DAIRY, ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERSUNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
5. GEEVARGHIS T.V., ASSISTANT MANAGER, THRISSUR DAIRY,
ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERSUNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
6. PRAVEEN JOHN, TECHNICAL SUPERINTENDENT, THRISSUR DAIRY,
ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERSUNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
7. REMBHA E.K., ASSISTANT MILK PROCUREMENT OFFICER,
THRISSUR DAIRY, ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERSUNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
8. DR.GEORGE THOMAS, ASSISTANT MANAGER,
ERNAKULAM REGIONAL CO-OPERATIVE MILK PRUDUCERS
UNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
9. THOMAS P.T.,
ASSISTANT MANAGER, ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERS UNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.

10. HEMANDAKUMR M., SSISTANT MARKETING OFFICER
ERNAKULAM REGIONAL CO-OPERATIVE MILK PRUDUCERS UNION
LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
11. JAISY SEBASTIAN, TRIPPUNITHURA DAIRY, TECHNICAL OFFICER,
ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERSUNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
12. RAJESH M.R., TECHNICAL SUPERINTENDENT (ENG),
THRIPPUNITHURA DAIRY, ERNAKULAM REGIONAL CO-OPERATIVE
MILK PRUDUCERSUNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
13. A.J.GEORGE, TECHNICAL OFFICER, TRIPPUNITHURA DAIRY,
ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERSUNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
14. BABU VARGHESE, DEPUTY ENGINEER, TRIPPUNITHURA DAIRY,
ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERSUNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
15. ALEX SEBASTIAN, ASSISTANT MANAGER ACCOUNTS,
TRIPPUNITHURA DAIRY, ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERSUNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
16. VARGHESE V.AREECKAL, DAIRY MANAGER, TRIPPUNITHURA DAIRY,
ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERSUNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
17. P.G.RAMACHANDRAN, ASSISTANT MANAGER MARKETING,
KOTTAYAM DAIRY, ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERSUNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
18. LINI SOOSAN JOHN, TECHNICAL OFFICER, KOTTAYAM DAIRY,
ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERSUNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
19. VINODKUMAR P., TECHNICAL SUPERINTENDENT, KOTTAYAM DAIRY,
ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERSUNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
20. KURIAN T.K., DEPUTY ENGINEER, KOTTAYAM DAIRY,
ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERSUNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.
21. SANTHOSH B., QUALITY CONTROL OFFICER (HG),
KOTTAYAM DAIRY, ERNAKULAM REGIONAL CO-OPERATIVE MILK
PRUDUCERSUNION LTD.NO.E-150(D), EDAPPALLY, KOCHI - 682 024.

BY ADVS.SRI.P.N.MOHANAN
SMT.I.VINAYAKUMARI
SRI.C.P.SABARI

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RESPONDENTS:-

1. THE BOARD OF DIRECTORS OF THE ERNAKULAM REGIONAL
CO-OPERATIVE MILK PRODUCERS UNION LTD NO. E-150 (D),
REPRESENTED BY ITS CHAIRMAN, EDAPPALLY,KOCHI - 682 024.
2. ERNAKULAM REGIONAL CO-OPERATIVE MILK PRODUCERS UNION
LTD.NO.150(D), REPRESENTED BY ITS MANAGING DIRECTOR,
EDAPPALLY,KOCHI - 682 024.

R2 BY ADV.SRI.K.ANAND (SR.)

R2 BY ADV.SMT.LATHA ANAND

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 30086 of 2015 (I)

APPENDIX

PETITIONERS' EXHIBITS : -

EXHIBIT P1 : TRUE COPY OF THE ORDER DATED 02.08.2014 OF THE
GOVERNMENT OF KERALA.

EXHIBIT P2 : TRUE COPY OF THE PROMOTION POLICY OF THE OFFICERS AND
SUPERVISORY STAFFS.

EXHIBIT P3 : TRUE COPY OF THE DETAILS WITH NUMBER OF POSTS AND
QUALIFICATION NOTIFIED.

EXHIBIT P4 : TRUE COPY OF THE CALL LETTER DATED 16.03.2015 ISSUED TO
THE FIRST PETITIONER.

EXHIBIT P5 : TRUE COPY OF THE MEMORANDUM DATED 09.04.2015 FILED BY
THE UNION OFFICERS ASSOCIATION WITH TRANSLATION.

EXHIBIT P6 : TRUE COPY OF THE PETITION DATED 23.09.2015 FILED BY THE
PETITIONERS BEFORE THE SECOND RESPONDENT.

EXHIBIT P7. : TRUE COPY OF THE PROMOTION ORDER DATED 18.08.2015 ISSUED
TO MR.T.NARAYANAN.

RESPONDENTS' EXHIBITS : - NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 30086 of 2015

Dated this the 16th day of November, 2015

JUDGMENT

Heard the learned counsel for the petitioners and the learned counsel for the respondents, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. The second respondent, the employer, having decided to fill up 31 posts by promotion from the feeder category, conducted interview on 23.03.2015.

3. Ventilating their grievance that so far the second respondent has not finalized the proceedings, the petitioners, 21 in number, have filed the present writ petition.

4. The learned counsel for the petitioners has submitted that concerning the finalization of proceedings regarding the promotion, the petitioners have already submitted Exhibit P6 representation to the second respondent, who is yet to dispose it of.

5. The learned counsel for the second respondent, on his part, has submitted that the second respondent is willing to consider petitioners' Exhibit P6 representation in accordance with law and pass appropriate orders thereon.

In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioners and the learned counsel for the respondents, this Court, without expressing any opinion on the merits of the matter, disposes of the present writ petition with a direction to the second respondent to consider petitioners' Exhibit P6 representation in accordance with law, and pass appropriate orders thereon as expeditiously as possible, at any rate, within a period of two months from the date of receipt of a copy of this judgment.

No order as to costs.

DAMA SESHADRI NAIDU
JUDGE

DMR/-