

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 18TH DAY OF MARCH 2015/27TH PHALGUNA, 1936

WP(C).No. 30766 of 2014 (U)

PETITIONERS :

- 1. SABU THOMAS, AGED 51 YEARS, HELPER
CENTRE FOR ADVANCED PRINTING & TRAINING (C-APT)
SUB CENTRE, KOTTAYAM PALA, RESIDING AT MOOSARIYETTU,
KADAPOOR, VATTUKULAM P.O., KOTTAYAM DISTRICT.**
- 2. SHAJI P. D., HELPER
KERALA STATE CENTRE FOR ADVANCED PRINTING &
TRAINING (C-APT) SUB CENTRE, KOTTAYAM, PALA
RESIDING AT RAMUTTAM, PARACKAL, MANGAZHA, KOTTAYAM.**
- 3. JOBLE THOMAS, HELPER
KERALA STATE CENTRE FOR ADVANCED PRINTING &
TRAINING (C-APT) SUB CENTRE, KOTTAYAM
PALA. RESIDING AT KANNEETIL PUTHEN PARAMBIL (H)
KUMARAMANGALAM P.O., THODUPUZHA, IDUKKI DISTRICT.**
- 4. BABU LUKE, HELPER
KERALA STATE CENTRE FOR ADVANCED PRINTING &
TRAINING (C-APT) SUB CENTRE, KOTTAYAM
PALA. RESIDING AT THENGAMTHOTTATHIL (MOOLAYIL)
ATHIRAMPUZHA, KOTTAYAM.**
- 5. SUDARSANAN M.R., BINDER
KERALA STATE CENTRE FOR ADVANCED PRINTING &
TRAINING (C-APT) SUB CENTRE, KOTTAYAM, PALA.
RESIDING AT MAMBILLIL HOUSE, UDUMBANNOOR P.O.
THODUPUZHA.**
- 6. S.B.VIJAYAKUMAR, WORK ASSISTANT
KERALA SUB CENTRE FOR ADVANCED PRINTING & TRAINING (C-APT)
SUB CENTRE, KOTTAYAM, PALA. RESIDING AT SYAM N VAS
TC 10/2194, KANJIRAMPARA P.O., THIRUVANANTHAPURAM.**
- 7. REJI MAMMEN ABRAHAM, SALES ASSISTANT
KERALA STATE CENTRE FOR ADVANCED PRINTING & TRAINING (C-APT)
SUB CENTRE, KOTTAYAM, PALA.
RESIDING AT NIRANNANILATHU HOUSE
KUMBLAMPOIKA P.O., PATHANAMTHITTA.**

- 8. UDAYAN NAIR T.G., HELPER
KERALA STATE CENTRE FOR ADVANCED PRINTING & TRAINING (C-APT)
SUB CENTRE, KOTTAYAM, PALA.
RESIDING AT MUKAYAPILLIL HOUSE,
VENGALLOOR P.O., MUTHARAMKUNNU VIA, THODUPUZHA.**
- 9. JOSEPH M.A. HELPER
KERALA STATE CENTRE FOR ADVANCED PRINTING & TRAINING (C-APT)
SUB CENTRE, KOTTAYAM, PALA. RESIDING AT MADATHILKALAM
VEZHAPRA P.O., ALAPPUZHA.**
- 10. JIJI TOM, COMPUTER OPERATOR
KERALA STATE CENTRE FOR ADVANCED PRINTING &
TRAINING (C-APT) SUB CENTRE, KOTTAYAM
PALA. RESIDING AT EDASSERIL HOUSE, PANNOOR P.O.
THODUPUZHA.**
- 11. JOSE K. LUKOSE, HELPER
KERALA STATE CENTRE FOR ADVANCED PRINTING &
TRAINING (C-APT), SUB CENTRE, KOTTAYAM, PALA.
RESIDING AT KANDATHIL PARAMBIL, VILLOONNI POST
ARPOOKARA, KOTTAYAM.**
- 12. SUNNY P.P., HELPER
KERALA STATE CENTRE FOR ADVANCED PRINTING &
TRAINING (C-APT) SUB CENTRE, KOTTAYAM
PALA. RESIDING AT PUTHUPPILLIL HOUSE
KUDAKKACHIRA P.O., KOTTAYAM DISTRICT.**
- 13. SUNNY GEORGE, HELPER
KERALA STATE CENTRE FOR ADVANCED PRINTING &
TRAINING (C-APT) SUB CENTRE, KOTTAYAM, PALA.
RESIDING AT VARANATHU HOUSE, THIDANAD P.O.
KOTTAYAM.**
- 14. JOJO MATHEW, HELPER
KERALA STATE CENTRE FOR ADVANCED PRINTING & TRAINING (C-APT)
SUB CENTRE, KOTTAYAM, PALA. RESIDING AT PULIKKAL HOUSE
PALA P.O., KOTTAYAM.**
- 15. SHIBU K., HELPER
KERALA STATE CENTRE FOR ADVANCED PRINTING & TRAINING (C-APT)
SUB CENTRE, KOTTAYAM, PALA. RESIDING AT MAVUNKAL HOUSE
THODANAL P.O., PALA, KOTTAYAM.**
- 16. VENUGOPAL D., HELPER
KERALA STATE CENTRE FOR ADVANCED PRINTING &
TRAINING (C-APT) SUB CENTRE, KOTTAYAM, PALA
RESIDING AT NEERANTHANATHU POONJAR, KOTTAYAM.**

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENTS :

- 1. KERALA STATE CENTRE FOR ADVANCED PRINTING AND TRAINING
(C-APT), HEAD OFFICE COMPLEX, VATTIYOORKAVU
THIRUVANANTHAPURAM - 695 013
REP. BY ITS MANAGING DIRECTOR.**
 - 2. THE MANAGING DIRECTOR
KERALA STATE CENTRE FOR ADVANCED PRINTING & TRAINING (C-APT)
HEAD OFFICE COMPLEX, VATTIYOORKAVU
THIRUVANANTHAPURAM - 695 013.**
 - 3. THE EXECUTIVE COMMITTEE,
REP. BY ITS MANAGER DIRECTOR
KERALA STATE CENTRE FOR ADVANCED PRINTING &
TRAINING (C-APT) HEAD OFFICE COMPLE, VATTIYOORKAVU
THIRUVANANTHAPURAM -695 013.**
 - 4. STATE OF KERALA
REP. BY ITS SECRETARY
HIGHER EDUCATION (K) DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM - 695 001.**
- R1 & R2 BY ADV. SMT.LATHA KRISHNAN, SC,
BY ADV. SMT.K.K.RAZIYA , SC,
R4 BY SENIOR GOVERNMENT PLEADER SRI. V. VIJULAL**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: A TRUE COPY OF THE ORDER DT. 19.6.14 ISSUED BY THE 2ND RESPONDENT.
- P2: A TRUE COPY OF THE JUDGMENT DT. 21.3.13 IN WPC NO. 13032/12 OF THIS HON'BLE COURT.
- P3 : A TRUE COPY OF THE SAID REPRESENTATION SUBMITTED BY THE PETITIONERS BEFORE THE 2ND RESPONDENT WITH COPY TO THE 4TH RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A. MUHAMED MUSTAQUE, J.

= = = = =

W.P.(C) No.30766 of 2014

= = = = =

Dated this the 18th day of March, 2015

JUDGMENT

Petitioners are employees of the Kerala State Centre for Advance Printing and Training (C-APT) engaged in their Sub Centre at Pala. It is an autonomous body created by the Government as per G.O(MS) No.73/91/H.Edn dated 28.04.1992.

2. The grievance of the petitioners is with regard to the disbursement of salary paid to them. The petitioners' case is that in the matter of disbursement of salary, the 1st respondent is releasing salary due to the employees at Head Quarters and Sub Centres at Thiruvananthapuram on the first day of every Calender months. But payment to other employees are delayed without any reason. The employees cannot be discriminated in the matter of payment of salary and other service benefits applicable to them based on the Centre they are working.

3. A statement has been filed by the 1st respondent. It is stated that the management gives extreme priority in disbursing salary at the beginning of every month for all employees including Head Office and Sub Centres. The total number of

employees at present is 706 only. It is further submitted that the management releases salary and allowances to all its units including sub centres. The disbursement of salary to sub centres will not come under the purview of discrimination in its sense in this particular case.

4. The petitioners are claiming their legitimate claim for payment of salary on the day, the same being disbursed to the employees at the Head Office. The employer cannot discriminate in the matter of payment of salary unless if there is any legitimate impediment in releasing such salary. In this matter no such plea has been raised. On the other hand, it is submitted that, salary is being paid at the beginning of every month to every employees.

5. I am of the view that, in the matter of disbursing salary, all employees shall be considered in the same manner and it shall be disbursed on the same day unless management finds any cogent reason for the delay.

The writ petition is disposed of.

A. MUHAMED MUSTAQUE, JUDGE

sj