

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 17TH DAY OF NOVEMBER 2015/26TH KARTHIKA, 1937

WP(C).No. 31841 of 2014 (E)

PETITIONER(S)/PETITIONER:

SOJIN P.D AGED 51 YEARS
S/O.P N DAMODARAN, I GRADE DRIVER
KERALA STATE ROAD TRANSPORT CORPORATION
ERNAKULAM DEPOT, KOCHI-35, (RESIDING AT PUTHENVEEDU
HOUSE ANANDAPURAM, COMBARA, KOCHI-18)

BY ADV. BABU JOSEPH KURUVATHAZHA
ABHILASH P.T

RESPONDENT(S)/RESPONDENTS:

KERALA PUBLIC SERVICE COMMISSION
PATTOM, THIRUVANANTHAPURAM-695004
REPRESENTED BY ITS SECRETARY

R BY ADV. SRI.P.C.SASIDHARAN, SC, KPSC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
17-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

P1:-TRUE PHOTOCOPY OF THE FIRST PAGE OF THE SSLC BOOK OF THE PETITIONER
P2:-TRUE PHOTOCOPY OF THE MARK PAGE OF THE SSLC BOOK OF THE PETITIONER
P3:-TRUE COPY OF THE RELEVANT PORTION OF THE MEMO DTD 6/11/1999 ISSUED
BY THE RESPONDENT, WITH ENGLISH TRANSLATION
4:-TRUE COPY OF THE PROCEEDING DTD 22/6/2000 OF THE RESPONDENT, WITH
ENGLISH TRANSLATION
P5:-TRUE COPY OF THE MEMORANDUM NO PLA 6/026300/2000 DTD 7/7/2000
ISSUED BY THE KERALA STATE ROAD TRANSPORT CORPORATION
P6:-TRUE COPY OF THE NON CREMY LAYAR CERTIFICATE DTD 13/9/2007 ISSUED
BY THE VILLAGE OFFICER, ERNAKULAM
P7:-TRUE COPY OF THE REPRESENTATION DTD 26/2/2008 SUBMITTED BY THE
PETITIONER BEFORE THE RESPONDENT, WITH ENGLISH TRASLATION
P8:-TRUE COPY OF THE LETTER DTD 29/7/2008 ISSUED BY THE RESPONDENT WITH
ENGLISH TRANSLATION
P9:-TRUE COPY OFF THE REPRESENTATION DTD 11/8/2008 SUBMITTED BY THE
PETITIONER BEFORE RESPONDENT, WITH ENGLISH TRANSLATION
P10:-TRUE PHOTOCOPY OF THE DISABILITY CERTIFICATE FOR PHYSICALLY
HANDICAPPED PERSON DTD 28/11/2013, PERTAINING TO THE TREATMENT OF ELDER
DAUGHTER OF THE PETITIONER

RESPONDENT(S) ' EXHIBITS

NIL

TRUE COPY

SKS

P.A TO JUDGE

V.CHITAMBARESH, J.

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Dated this the 17th day of November, 2015

JUDGMENT

The petitioner challenges the seniority assigned to him in service way back in the year 2000. The petitioner was evidently not extended the benefit of communal reservation for failure to produce the non-creamy layer certificate in time. The parties are at variance as to whether such certificate was in fact produced in time or not and the statement in Ext.P8 communication is to the effect that the petitioner did not.

2. The seniority assigned to the petitioner cannot be reopened at this point of time. The issue is covered by judgment in W.A.No.1552/2012 rendered by the Division Bench of this Court. The seniority of several other persons would be adversely affected if the relief sought in the writ petition is granted. But the petitioner has not impleaded any one of the affected parties in the writ petition. I do not

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find any ground to grant the reliefs to the petitioner in exercise of the jurisdiction under Article 226 of the Constitution of India.

The writ petition is dismissed.

V.CHITAMBARESH, JUDGE

sks