IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 14TH DAY OF JANUARY 2015/24TH POUSHA, 1936

WP(C).No. 32432 of 2014 (D)

PETITIONER(S):

G. ACHAN KUNJU PANICKER, AGED 53 YEARS,
THEKKEKARA PUTHEN VEEDU, CHENGAMANADU P.O.
KOTTARAKARA, KOLLAM DISTRICT - 691 557. (DRIVER, KSRTC
RETIRED ON 29.07.2009 FROM KOTTARAKARA DEPOT.)

BY ADV. SRI.N.SASIDHARAN UNNITHAN

RESPONDENT(S)/RESPONDENTS:-:

1. KERALA STATE ROAD TRANSPORT CORPORATION,
REPRESENTED BY THE MANAGING DIRECTOR, KSRTC,
TRANSPORT BHAVAN, THIRUVANANTHAPURAM - 695 023.

2. EXECUTIVE DIRECTOR (VIGILANCE),
KSRTC, TRANSPORT BHAVAN, THIRUVANANTHAPURAM - 695 023.

3. DISTRICT TRANSPORT OFFICER,
KSRTC, KOTTARAKARA, KOLLAM DISTRICT - 695 023.

R BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 32432 of 2014 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. COPY OF ORDER NO.VLE2/013613/07 DATED 29.07.2009 ISSUED TO THE PETITIONER WITH ENGLISH TRANSLATION.

EXHIBIT P2. COPY OF MEMO DATED 23.10.2013 ISSUED TO THE PETITIONER WITH ENGLISH TRANSLATION.

EXHIBIT P3. COPY OF JUDGMENT DATED 11.06.2014 IN WP(C) 14170/2014 OF THIS HON'BLE COURT.

EXHIBIT P4. COPY OF CIRCULAR NO.PL7/000175/2010 DATED 06.07.2010 OF THE 1ST RESPONDENT WITH ENGLISH TRANSLATION.

EXHIBIT P5. COPY OF MEMO DATED 28.08.2014 ISSUED TO THE PETITIONER.

EXHIBIT P6. COPY OF JUDGMENT DATED 01.07.2013 IN WP(C)3663/2013 OF THIS HON'BLE COURT.

EXHIBIT P7. COPY OF JUDGMENT DATED 21.02.2014 IN WA NO.169/2014 OF THIS HON'BLE COURT.

EXHIBIT P8. COPY OF ORDER DATED 08.08.2014 IN SLP NOS.20032 TO 20035/2014 OF THE HON'BLE SUPREME COURT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.32432 of 2014

Dated this the 14th day of January, 2015

J U D G M E N T

Ext.P5 memorandum denying the claim for benefits when leave without allowance was availed is impugned. Ext.P5 memorandum is obviously not in accord with Exts.P6 and P7 judgments of this Court as affirmed by Ext.P8 proceedings of the Supreme Court. It is reported that a Scheme is being evolved by the Kerala State Road Transport Corporation to consider similar claims towards leave without allowance. I accordingly quash Ext.P5 memorandum and direct the respondents to reconsider the claim of the petitioner in accordance with the Scheme being evolved. The needful shall be done within a period of three months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.