

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

WP(C).No. 32313 of 2015 ()

PETITIONER(S):

**SOBHA RAJENDRAN, AGED 43 YEARS
WIDOW OF RAJENDRAN, PONNANGAT CHIRA HOUSE, WARD NO.7
ARoor VILLAGE, CHERTHALA TALUK, AROOR PO
ALAPPUZHA DISTRICT 688 534.**

**BY ADVS.DR.V.N.SANKARJEE
SRI.V.N.MADHUSUDANAN
SRI.M.K.SIDHARDHANAN
SMT.C.K.LEKHAMMA
SMT.R.UDAYA JYOTHI
SRI.M.M.VINOD
SMT.M.SUSEELA
SRI.PRATHAP. S.R.K.
SMT.MARY JOHN**

RESPONDENT(S):

- 1. THE STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
DEPARTMENT OF FINANCE, GOVERNMENT SECRETARIAT
THIRUVANANTHPAURAM 695 001.**
- 2. THE KERALA STATE FINANCIAL ENTERPRISES LTD
REPRESENTED BY ITS MANAGING DIRECTOR
CORPORATE OFFICE, BHADRATHA, THRISUR 680 020**
- 3. THE BRANCH MANAGER
KERALA STATE FINANCIAL ENTERPRISES LTD
ARoor BRANCH, CHERTHALA TALUK, ALAPPUZHA 688 534.**

**R1 BY GOVERNMENT PLEADER SMT.ANANCY
R2, R3 BY ADV. SRI.M.GOPIKRISHNAN NAMBIAR**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

VS

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1- TRUE COPY OF THE CHEQUE BEARING NO.10039976 DATED 9.3.2010
- EXT.P1(A)- TRUE COPY FO THE CHEQUE BEARING NO.97832 DATED 31.8.2011
- EXT.P1(B)- TRUE COY OF THE CHEQUE BEARING NO. 97850 DATED 6.9.11
- EXT.P2- TRUE COPY OF THE NOTICE DATED9.5.11 INVITING THE PETITIONER TO PARTICIPATE IN THE STAFF MEETING
- EXT.P3- TRUE COPY OF THE PETITIONER'S REPRESENTATION DATED 26.7.11 SUBMITTED TO THE FINANCE MINISTER
- EXT.P4- TRUE COPY OF PETITIONER'S REPRESENTATION DATED 19.9.11 SUBMITTED TOT HE 3RD RESPONDENT
- EXT.P5- TRUE COPY OF THE JUDGMENT DATED 8.10.2004 IN WP(C) NO.26145/2004 OF THIS HONOURABLE COURT
- EXT.P6- TRUE COPY OF THE GOVERNMENT ORDER GO(MS) NO.162/05/TD DATED 20.12.2005
- EXT.P7- TRUE COPY OF THE JUDGMENT DATED 10.10.2011 IN WP(C) NO.26595/11 OF THIS HONOURABLE COURT
- EXT.P8- TRUE COPY OF THE REPRESENTATION DATED 22.10.2011
- EXT.P9- TRUE COPY OF THE REPRESENTATION DATED 6.6.2013
- EXT.P10- TRUE COPY OF THE REPRESENTATION DATED 31.3.2015 WITH THE POSTAL RECEIPT AND THE ACKNOWLEDGEMENT CARD

RESPONDENT(S)' EXHIBITS

NIL

/TRUE COPY/

PA TO JUDGE

VS

K.VINOD CHANDRAN, J.

W.P.(C).No.32313 of 2015

Dated this the 20th day of November, 2015

JUDGMENT

The petitioner in the writ petition seeks identical relief as sought for in W.P.(C).Nos.10629 & 10630 of 2015.

2. The petitioner is aggrieved by her abrupt termination from the employment as part-time sweeper-cum-peon. The respondent financial enterprises had on the basis of two judgments of this Court, decided to appoint persons regularly as sponsored from the Employment Exchange, this led to the termination of the petitioner, who was only a temporary appointee.

3. This Court in the judgment dated 29.10.2015 in WP(C).No.10630/2015, rejected the prayer of identically situated persons. The petitioner could have a valid claim only if she is being replaced by another temporary worker. Here the replacement is with a regular hand as sponsored from the Employment Exchange. This Court does not found any illegality in the same.

Hence the writ petition is dismissed. No costs.

**Sd/-
K.VINOD CHANDRAN
JUDGE**

VS