

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 13TH DAY OF NOVEMBER 2015/22ND KARTHIKA, 1937

WP(C).No. 34269 of 2015 (G)

PETITIONER(S):

1. MADHUSOODANAN K. AGED 43 YEARS
S/O.NARAYANAN, CONDUCTOR, KSRTC
PAYYANNOOR DEPOT, RESIDING AT KEENERI HOUSE, PERALAM
KOZHUMMAL P.O, KANNUR DIST. 670 522.
2. RENEESH BABU .T.K.
S/O.GOVINDAN, CONDUCTOR, KSRTC
THALSSERY DEPOT, RESIDING AT THAZHEMADATHIL KUNIAL
REEM NIVAS, ANIYARAM P.O. 670 672, CHOKLI VIA
KANNOOR DIST.
3. CYRIL MATHEW, S/O.MATHAI,
CONDUCTOR, KSRTC, KANNOOR DEPOT
RESIDING AT PAMPARAYIL HOUSE, CHANDANAKAMPARA P.O.
670 633, PAYYAVOOR VIA, KANNOOR DIST.
4. SASIDHARAN V.P
S/O.MADHAVAN C., CONDUCTOR, KSRTC
THALASSERY, DEPOT, RESIDING AT VALIYA PARAMBATH HOUSE
MOOZHICKARA P.O., 670 103, THALASSERY
KANNOOR DIST
5. PRAKASAHAN V
S/O.GOVINDAN, CONDUCTOR, KSRTC
KANNOOR DEPOT, RESIDING AT VACHALINTAVIDA HOUSE
KOORARA P.O., 670 694, THALASSERY
KANNOOR DIST.
6. UTHAMAN C.P
S/O.GOVINDAN, CONDUCTOR, KSRTC
KANNOOR DEPOT, RESIDING AT CHENNIPARAMBATH HOUSE
CHERUPUZHA P.O., 670511, PANDIKADAVE
KANNOOR DIST.
7. RAJANKUTTY T.N.
S/O.NARAYANAN, CONDUCTOR, KSRTC
KANNOOR DEPOT, RESIDING AT THARAPPIL HOUSE
PAYAM EAST P.O., 670 704, CHEENGAKUDAM
KANNOOR DIST.
8. MANOJ KUMAR N.F.
S/O.FRANCIS, CONDUCTOR, KSRTC
KANNOOR DEPOT, RESIDING AT NEDUMPALLIL HOUSE

MAVAKADAVU P.O., 670 571, ALAKODE VIA
KANNOOR DIST.

9. HASHIM.P.P.
CONDUCTOR, KSRTC, THALASSERY DEPOT
RESIDING AT BAITHUNNOOR, KALLILTHAZHA KUNIYIL
MUTHUVADATHOR P.O., 673 503, PURAMERI
KOZHIKODE DIST.
10. T.K.PAVITHRAN,
S/O.PADMANABHAN.K., CONDUCTOR, KSRTC
KANNOOR DEPOT, RESIDING AT SREEDEEPAM, THALAMUNDA
KODALI P.O. 670 592, KANNOOR DIST
11. GEORGE JOSEPH
S/O.JOSEPH, CONDUCTOR, KSRTC
GEORGE JOSEPH, RESIDING AT KOLLARICKAL HOUSE
KOSAVANVAYAL P.O., 70 593, KANNOOR DIST.
12. VISHNU MEKKATTILLAM,
CONDUCTOR, KSRTC, PAYYANNOOR DEPOT
RESIDING AT MEKKATTILLA HOUSE, NIDUVAPPURAM
KARIVELLOOR P.O., 670 531, KANNOOR DIST.
13. M.SETHUMADHAVAN
CONDUCTOR, KSRTC, PAYYANNOOR DEPOT
RESIDING AT MATHUKKADA HOUSE, KODAKKAT P.O., 671 310
KASARAGOD DIST
14. A.V.SURENDRAN
CONDUCTOR, KSRTC, KANNOOR DEPOT
RESIDING AT MEPAT HOUSE, EDATTUMMAL
TRIKARIPUR P.O. 671 310
15. CHANDRAN KANNAMKULAM
CONDUCTOR, KSRTC, PAYYANNOOR DEPOT
RESIDING AT CHERUVATHUR P.O., 671 313
KASARAGOD DIST.
16. MURALI M.V.
S/O.APPU, CONDUCTOR, KSRTC
KASARAGOD DEPOT, RESIDING AT NEDUMBA
VALIYAPOIL P.O. 671 313, CHERUVATHUR VIA
KASARAGOD DIST.
17. RETHNAKARAN.A.
S/O.N.KELU NAIR, CONDUCTOR, KSRTC
KANHANGAD DEPOT, RESIDING AT KANATHIL HOUSE
HARIPURAM P.O.671 531, ANANDESHRAM VIA
KASARAGOD DIST.
18. CHANDRAN.P
S/O.M.KRISHNAN NAIR, CONDUCTOR, KSRTC
KANHANGAD DEPOT, RESIDING AT PERINGATH HOUSE
KAMBALLUR P.O. 670 511, KASARAGOD DIST.
19. ANISH KUMAR P.
S/O.K.AMBADI MASTER, CONDUCTOR, KSRTC
KANHANGAD DEPOT, RESIDING AT GOKULAM, MAYYICHA
CHERUVATHOOR P.O., 670 313, KASARAGOD DIST.

20. CHANDRASEKHARAN NAMBIAR V.
S/O.M.KUMARAN NAIR, CONDUCTOR, KSRTC
KASARAGOD DEPOT, RESIDING AT NELLITHAVE HOUSE
KUTTIKOL P.O., CHENGALA VIA, KASARAGOD DIST.

BY ADVS.SRI.T.P.PRADEEP
SRI.P.K.SATHEES KUMAR

RESPONDENT(S) :

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT
TRANSPORT (A) DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001.

2. KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY ITS MANAGING DIRECTOR
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM.

R1 BY ADV.K.A.SANJEETHA, SENIOR GOVERNMENT PLEADER
R2 BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
13-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

P1: TRUE COPY OF THE MEMORANDUM ISSUED TO THE 1ST PETITIONER DATED 26/10/2004.
P2: TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 1ST PETITIONER DATED 7/4/2012.
P2 (A):TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 2ND PETITIONER DATED 7/4/2012.
P2 (B):TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 3RD PETITIONER DATED 7/4/2012.
P2 (C):TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 4TH PETITIONER DATED 7/4/2012.
P2 (D):TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 5TH PETITIONER DATED 7/4/2012.
P2 (E):TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 6TH PETITIONER DATED 7/4/2012.
P2 (F):TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 7TH PETITIONER DATED 7/4/2012.
P2 (G):TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 7TH PETITIONER DATED 7/4/2012.
P2 (H):TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 9TH PETITIONER DATED 7/4/2012.
P2 (I):TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 10TH PETITIONER DATED 7/4/2012.
P2 (J):TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 11TH PETITIONER DATED 7/4/2012.
P2 (K):TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 12TH PETITIONER DATED 7/4/2012.
P2 (L):TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 13TH PETITIONER DATED 7/4/2012.
P2 (M):TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 14TH PETITIONER DATED 7/4/2012.
P2 (N):TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 15TH PETITIONER DATED 7/4/2012.
P2 (O):TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 16TH PETITIONER DATED 7/4/2012.
P2 (P):TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 17TH PETITIONER DATED 7/4/2012.
P2 (Q):TRUE COPY OF THE PREFORM ISSUED TO THE 18TH PETITIONER DATED 14/2/2012.
P2 (R):TRUE COPY OF THE MEMORANDUM ISSUED TO THE 19TH PETITIONER DATED 26/10/2004.
P2 (S):TRUE COPY OF THE MEMORANDUM ISSUED TO THE 20TH PETITIONER DATED 7/4/2012..
P3:TRUE COPY OF THE AFFIDAVIT DATED 21/7/2005 FILED IN WPC NO.28368/2004.
P4:TRUE COPY OF THE JUDGMENT DATED 24/6/2008 IN W.A NO.1631/2007.
P5: TRUE COPY OF THE MEMORANDUM DATED 6/1/2006 ISSUED BY THE 2ND RESPONDENT
P6: TRUE COPY OF THE ORDER OF THE 1ST RESPONDENT DATED 28/1/2011.
P7: TRUE COPY OF THE REPRESENTATION DATED 14/10/2015 PREFERRED TO THE 1ST RESPONDENT
P8: TRUE COPY OF THE REPRESENTATION DATED 14/10/2015 PREFERRED TO THE 2ND RESPONDENT
P9: TRUE COPY OF GO(MS) NO:77/2011 DATED 22/12/2011.
P10: TRUE COPY OF THE JUDGMENT DATED 29/7/2015 IN WPC NO.16602/2015

RESPONDENT(S) ' EXHIBITS

-----NIL

TRUE COPY

SKS

P.A TO JUDGE

V.CHITAMBARESH, J.

W.P(C)NO. 34269 OF 2015

Dated this the 13th day of November, 2015

JUDGMENT

The contention of the petitioners is that they were appointed late notwithstanding the existence of vacancies. Such belated appointment has been deprecated in Ext.P4 judgment in W.A.No.1631/2007. The petitioners seek regularization in service from the date of initial engagement and consequential benefits.

2. Ext.P8 representation put in by the petitioners is pending consideration. I direct the second respondent to consider Ext.P8 representation with notice to the first petitioner. The needful shall be done within a period of two months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of as above.

V.CHITAMBARESH, JUDGE

sks

