

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

WP(C).No. 34537 of 2014 (N)

PETITIONER:

T.R. MANIKUTTAN, EMPANELLED CONDUCTOR,
KSRTC, THIRUVALLA DEPOT, THIRUVALLA,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI. K. P. RAJEEVAN

RESPONDENTS:

1. KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY ITS MANAGING DIRECTOR
TRANSPORT BHAVAN, FORT,
THIRUVANANTHAPURAM PIN-695023.

2. DISTRICT TRANSPORT OFFICER
KSRTC, THIRUVALLA DEPOT,
PATHANAMTHITTA DISTRICT PIN-689107.

BY SRI. M. GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09-04-2015,
ALONG WITH WPC. 20832/2013, WPC. 5146/2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 : TRUE COPY OF THE MEMORANDUM DT.27-10-2004 OF THE
EXECUTIVE DIRECTOR (OPERATIONS) OF KSRTC.
- EXT.P2 : TRUE COPY OF THE JUDGMENT DT.18-10-2013 IN WPC 25433/13.
- EXT.P3 : TRUE COPY OF THE JUDGMENT DT.14-11-2012 IN WPC 26433/12.
- EXT.P4 : TRUE COPY OF THE ORDER DT.28-1-13 ISSUED BY R1.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

**WP(C) NOs. 34537 OF 2014,
5146 OF 2015 & 20832 OF 2013**

Dated this the 9th day of April, 2015

JUDGMENT

The name of the petitioners found a place in the rank list published by the Kerala Public Service Commission. They were nevertheless not advised for appointment as conductor for want of vacancies then. The petitioners who have been working as provisional conductor for long seek regularisation in service on the basis of G.O. (MS) No. 77/2011/tran dated 22.12.2011.

2. The petitioners contend that one another candidate by name Mr. Thulasidas V.J. similarly placed was considered for regularisation in service. This was done pursuant to the judgment of this court in WP(C) No. 34327/2014. The Kerala State Road Transport Corporation thereafter by order No. PL 16/014915/12 dated 08.07.2013 regularised the services of Mr. Thulasidas V.J. The petitioners point out that they are similarly placed like Mr. Thulasidas V.J. and cannot be discriminated against.

3. A technical objection is raised by the Kerala State Road Transport Corporation in WP(C) Nos. 20832/2013 and

WP(C) Nos. 34537/2014, 5146/2015 & 20832/2013

5146/2015. The attempt seems to be that regularisation may perhaps be possible only by virtue of G.O. (MS) No. 77/2011/tran dated 22.12.2011 and not by virtue of the Government Orders relied on by the petitioners therein. The fact remains that the petitioners in the three writ petitions are similarly placed being unadvised candidates of the Kerala Public Service Commission. It is also brought out that they are still working as empanelled conductors in the Kerala State Road Transport Corporation.

4. I direct the Kerala State Road Transport Corporation to consider the case of the petitioners also for regularisation in service. Any motion made by the petitioners by a representation filed within three weeks from today shall be dealt by the Managing Director of Kerala State Road Transport Corporation. It will be so done within a period of six weeks therefrom after due notice to the petitioners.

The Writ Petitions are disposed of.

**V. CHITAMBARESH
JUDGE**

ncd