

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

TUESDAY, THE 24TH DAY OF NOVEMBER 2015/3RD AGRAHAYANA, 1937

WP(C).NO. 35252 OF 2015 (F)

PETITIONER:

K.SUGATHAN, AGED 52 YEARS,
S/O.N.KRISHANA PANICKER, KARTHIKA BHAVAN, MANALLOOR,
NEYYATTINKARA.P.O., THIRUVANANTHAPURAM DISTRICT,
WORKING AS DRIVER IN KSRTC.

BY ADVS.SMT.M.R.JAYALATHA
SRI.M.H.HANIL KUMAR

RESPONDENT(S) :

1. THE KERALA STATE TRANSPORT CORPORATION
REPRESE NTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM-695 001.
2. THE PERSONAL MANAGER, KSRTC, CHIEF OFFICE,
THIRUVANANTHAPURAM-695 001.
3. THE DISTRICT TRANSPORT OFFICER,
NEYYATTINKARA, THIRUVANANTHAPURAM-695 121.
4. THE GENERAL MANAGER,
KSRTC, THIRUVANANTHAPURAM-695 001.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
24-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).NO. 35252 OF 2015 (F)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1-A TRUE COPY OF CERTIFICATE DATED 30-09-2013 ISSUED BY THE
DISABILITY ASSESSMENT BOARD.

EXT.P2-A TRUE COPY OF THE COMMUNICATION DATED 28-03-2012

EXT.P3-A TRUE COPY OF THE REPRESENTATION SUBMITTED BEFORE THE 1ST
RESPONDENT.

EXT.P4-A TRUE COPY OF THE TERMS AND CONDITIONS DULY SIGNED BY THE
PETITIONER.

EXT.P5-A TRUE COPY OF THE REPRESENTATION DATED 07-10-2013.

EXT.P6-A TRUE COPY OF THE REPRESENTATION DATED 22-09-2015.

RESPONDENTS' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

DST

K. HARILAL, J.

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W.P. (C) No.35252 of 2015

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Dated this the 24th day of November, 2015

J U D G M E N T

The petitioner is working as driver under the respondent Corporation. According to the petitioner, due to heart disease, the petitioner is not able to work as a driver and he is 50% disabled as evident from Ext.P3 certificate. Even though, the petitioner disabled to do work allotted to him, he was allowed to do light duty permanently without change of category and advised the petitioner to make a representation, before the concerned authority for change of category by the superior officers. Hence, he filed Ext.P3 representation, before the 1st respondent. The 1st respondent has not considered the same for a long time. Aggrieved by the inaction, the petitioner has made Exts.P5 and P6

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representations, reminding Ext.P3. But, the 1st respondent has not considered any of the representations referred above. This is the grievance projected in this Writ Petition.

2. Heard the learned counsel for the petitioner and learned standing counsel appearing for the respondents.

3. According to the petitioner, he is physically disabled to do work as driver as he is disabled at 50%, this is evidenced by Ext.P3. Having regard to the above facts, I am of the view that the grievance projected in this Writ Petition deserves to be considered and orders be passed by the 1st respondent at the earliest.

4. In the above view of the matter, the 1st respondent is directed to consider Ext.P3 representation, at the earliest, at any rate, within a period of two months from the date of receipt of a copy of this judgment.

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This Writ Petition is disposed of accordingly.

Sd/-
K. HARILAL,
JUDGE

DST

//True copy//

P.A. To Judge