

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

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

WP(C).No. 35548 of 2015 (P)

PETITIONER(S):

- 1. NATIONAL EX-SERVICEMEN CO-ORDINATION COMMITTEE
(NEXCC), KERALA STATE (REGN.NO.535/99
AND APPROVED BY GOVERNMENT) 3RD FLOOR,
INDO-PERSIAN NJK SQUARE, VALANJAMBALAM,
KOCHI - 16, REPRESENTED BY STATE GENERAL SECRETARY
GARVASIS, S/O.PROTHASIS, AGED 66 YEARS,
VATTUKALAM, P.O.MANASSERI MUKKAM
KOZHIKODE DISTRICT - 673 602.**
 - 2. HAREESH C.K,
S/O.C.KRISHNAN, CHELLATH HOUSE,
ERANJOLI P.O., THALASSERY, KANNUR DISTRICT.**
- BY ADVS.SRI.K.MOHANAKANNAN
SMT.A.R.PRAVITHA**

RESPONDENT(S):

- 1. UNION OF INDIA,
REPRESENTED SECRETARY TO GOVERNMENT,
MINISTRY OF DEFENCE, NEW DELHI - 110001.**
 - 2. SECRETARY TO GOVERNMENT,
UNION OF INDIA,
MINISTRY OF PERSONNEL GRIEVANCES AND PENSION,
NEW DELHI - 110 001.**
- BY ADVS. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
SMT.PREMLATHA K. NAIR, CGC**

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

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P-1: TRUE COPY OF THE LETTER DATED 24.4.1995 ISSUED BY THE 1ST
RESPONDENT**
- EXT.P-2: TRUE COPY OF THE NOTIFICATION ISSUED BY THE 2ND
RESPONDENT DATED 4.10.2012**
- EXT.P-3: TRUE COPY OF THE NOTIFICATION DATED 9.7.2012 ISSUED BY THE
MINISTRY OF DEFENCE**
- EXT.P-4: TRUE COPY OF THE NOTIFICATION ISSUED BY THE FOOD
CORPORATION OF INDIA DATED 17.5.2013**
- EXT.P-5: TRUE COPY OF THE REPRESENTATION DATED 12.10.2015 SUBMITTED
BEFORE THE RESPONDENTS 1 AND 2 BY THE PETITIONERS
ASSOCIATION.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

WP.(C) No.35548 of 2015

Dated this the 24th day of November, 2015

JUDGMENT

The first petitioner is a registered organization of Ex-servicemen. The second petitioner is an Ex-serviceman. The case of the petitioners is that the appointment of Ex-servicemen under the private security agencies are controlled by the provisions of the Private Security Agencies Regulation Act, 2005. In the Regulation, the upper age is fixed.

2. The petitioners refer to Ext.P2, the Government of India notification dated 4.10.2012, wherein for the appointment to any vacancy in Group A and Group B posts, the upper age limit shall be relaxed by the length of military service increased by three years in the case of Ex-servicemen.

Therefore, to avail that benefit, the petitioners approached the first respondent as per Ext.P5. In the light of the facts and circumstances, there shall be a direction to the first respondent to consider Ext.P5 within three months after issuing notice to the first petitioner.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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