

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

MONDAY, THE 7TH DAY OF DECEMBER 2015/16TH AGRAHAYANA, 1937

WP(C).No. 36010 of 2015 (A)

PETITIONER:

**A. SELVAKUMAR, S/O.ARUCHAMY,
CONDUCTOR(EMPANELLED),
KERALA STATE ROAD TRANSPORT CORPORATION,
CHITTOOR DEPOT, PALAKKADU DISTRICT,
RESIDING AT VINAYAGAR KOVIL STREET,
VANNAMADA, VANNAMADA.P.O., CHITTOOR TALUK,
PALAKKAD DISTRICT, PIN - 678 555.**

BY ADV. SRI.ANANDARAJAN.N

RESPONDENT(S):

- 1. THE KERALA STATE ROAD TRANSPORT CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, FORT.P.O.,
THIRUVANANTHAPURAM - 695 023.**
- 2. THE ZONAL OFFICER, ZONAL OFFICE,
KERALA STATE ROAD TRANSPORT CORPORATION,
THRISSUR, PIN - 680 001.**
- 3. THE ASST. TRANSPORT OFFICER,
KERALA STATE ROAD TRANSPORT CORPORATION,
CHITTOOR DEPOT, PIN - 678 101.**

BY SRI.M.GOPIKRISHNAN NAMBIAR, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONERS' EXHIBITS:

- EXT. P1 : TRUE COPY OF MEMORANDUM NO.E1-472/2014/CTR DATED 13.10.2014 OF THE 3RD RESPONDENT.
- EXT. P2 : TRUE COPY OF ORDER NO.PL 16/014915/12 DATED 13.8.2014 OF THE FIRST RESPONDENT.
- EXT. P3 : TRUE COPY OF ORDER NO.PL 16/014915/12 DATED 27.10.2014 OF THE FIRST RESPONDENT.
- EXT. P3(A) : TRUE COPY OF ATTENDANCE STATEMENT OF A.K.SANTHOSH KUMAR, EMPANELLED DRIVER.
- EXT. P4 : TRUE COPY OF REPRESENTATION DATED 7.10.15 FILED BY THE PETITIONER BEFORE THE FIRST RESPONDENT.

RESPONDENTS' ANNEXURES: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

K. HARILAL, J.

W.P. (C) No.36010 of 2015-A

Dated this the 7th day of December, 2015

JUDGMENT

The petitioner herein is an empanelled Conductor working in the Kerala State Road Transport Corporation with effect from 31/7/2008. According to the petitioner, while working at Chittoor Depot, as Conductor, the petitioner was transferred to the Guruvayoor Depot on working arrangements for a period of 40 days, as per Ext.P1 order of the 3rd respondent, pursuant to the direction of the 2nd respondent. The transfer was for a period of 40 days to perform duty at Guruvayoor Depot and to relieve the petitioner back, after performing 40 days there. In the meanwhile, the petitioner was indisposed due to illness and he could not report for duty at Guruvayoor

depot and his treatment continued up to 9/8/2015. When the petitioner recovered from his illness, he submitted an application, enclosing the medical certificates, to the 2nd respondent requesting to permit him to rejoin duty with effect from 10/8/2015. As there was an inordinate delay in permitting the petitioner to rejoin duty at Chittoor Depot, he filed Ext.P4 representation before the 1st respondent requesting to pass orders to permit him to rejoin duty. But, no action has been taken on Ext.P4 so far, despite the long lapse of time. This is the grievance projected in this writ petition and the petitioner seeks a direction to the 1st respondent to consider and pass orders on Ext.P4 representation.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents.

3. Having regard to the grievance ventilated through pleadings in this writ petition, and the limited relief prayed for, the 1st respondent is directed to

consider and pass orders on Ext.P4 representation within a period of one month from the date of production of a copy of this judgment.

This writ petition is disposed of accordingly.

Sd/-

(K. HARILAL, JUDGE)

Nan/

//true copy//

P.S. to Judge