

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

FRIDAY, THE 11TH DAY OF DECEMBER 2015/20TH AGRAHAYANA, 1937

WP(C).No. 36706 of 2015 (K)

PETITIONERS :

1. **A. NOUSHAD, AGED 48 YEARS,
VALLYAPARAMPU THAZHATHU MANZIL, VANDANAM. P.O.,
ALAPUZHA DISTRICT-688 005.
(DRIVER, KSRTC, ALAPUZHA DEPORT).**
2. **M.THOMAS, VARAKAD HOUSE, KATTOOR.P.O.
ALAPUZHA DISTRICT-688 546. (DRIVER, KSRTC,
ALAPUZHA DEPORT).**

BY ADV. SRI.N.SASIDHARAN UNNITHAN

RESPONDENTS :

1. **KERALA STATE ROAD TRANSPORT CORPORATION
REP. BY THE MANAGING DIRECTOR, KSRTC, TRANSPORT BHAVAN
FORT, THIRUVANANTHAPURAM-695 023.**
2. **EXECUTIVE DIRECTOR (TECHNICAL)
KSRTC, TRANSPORT BHAVAN, FORT
THIRUVANANTHAPURAM-695 023.**
3. **DISTRICT TRANSPORT OFFICER
KSRTC, ALAPUZHA DEPORT, ALAPUZHA DISTRICT-699 696.**

R1 TO R3 BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- P1:- TRUE COPY OF THE ADVISE LETTER DATED 15.1.2008 ISSUED BY THE PSC TO THE 1ST PETITIONER.
- P2:- TRUE COPY OF THE ADVISE LETTER DATED 15.1.2008 ISSUED BY THE PSC TO THE 2ND PETITIONER.
- P3:- TRUE COPY OF THE DUTY PASS ISSUED TO THE 1ST PETITIONER FROM THE KSRTC.
- P4:- TRUE COPY OF THE DUTY PASS ISSUED TO THE 2ND PETITIONER FROM THE KSRTC.
- P5:- TRUE COPY OF THE MEMORANDUM DATED 1.10.2015 ISSUED TO PETITIONERS.
- P6:- TRUE COPY OF THE RESULT OF THE TRAINING OF DRIVERS IN VOLVO B7R BUSES.
- P7:- TRUE COPY OF REPRESENTATION DATED 31.10.2015 OF THE PETITIONER.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

K. HARILAL, J.

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W.P. (C) No.36706 of 2015

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Dated this the 11th day of December, 2015

J U D G M E N T

The petitioners are drivers at Alapuzha depot of the KSRTC. They are aggrieved by the denial of opportunity to operate Low Floor Volvo A/C bus schedules, by the respondents. It is the case of the petitioners that they were appointed through PSC in 2008 and well experienced in driving. By Ext.P5 memo, they were deputed for training in Volvo B7 R buses at Driver Training Centre at Bangalore and the petitioners have completed the training. But, in Ext.P6 result of the test, the petitioners are declared fit to drive Volvo buses but weak in DID (Diver Information Display).

2. According to the petitioner, thereafter they

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grasped the entire display system and now, they are able to identity the information given by the computerised display systems and act accordingly. Thus, the remarks in Ext.P6 have become immaterial. But, because of the said adverse remarks, the petitioners are not engaged in the operation of Volvo AC buses at the instance of the 2nd respondent, despite the fact that now they are capable to understand the information given by the computerised display system. Aggrieved by the denial the opportunity to drive the Volvo buses on the basis of remarks made much earlier, the petitioners have filed Ext.P7 representation to the 2nd respondent, requesting allocation of Volvo buses to them also, after testing their efficiency to understand the information given by the computerised display system. But, no order has been passed so far, despite the long

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lapse of time.

3. Heard the learned counsel for the petitioner and learned Standing Counsel appearing for the respondent.

4. It is true that as per Ext.P6 dated 01.10.2015, they are unable to understand the information given by the display boards. But, they cannot be treated as permanently disabled for ever to understand the information given by the display boards. If they have studied the working of the display boards after Ext.P6 and now they are capable to understand the information given by the display board, certainly, it is just and reasonable to test the same, enabling them to obtain an opportunity to drive the Volvo buses.

5. In the above view of the matter, the 2nd respondent is directed to consider Ext.P6 and pass orders

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accordingly, within a period of two months from the date of receipt of a copy of this judgment.

This writ petition is disposed of accordingly.

Sd/-

**K. HARILAL,
JUDGE**

DST

//True copy//

P.A. To Judge