

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 4TH DAY OF DECEMBER 2015/13TH AGRAHAYANA, 1937

W.P.(C).No.36840 of 2015 (D)

PETITIONER(S):-

P.C.ANOOP ANTONY, AGED 42 YEARS,
JUNIOR ASSISTANT, SUPPLYCO SUPER MARKET,
RANNI, ITTIYAPARA, PATHANAMTHITTA DISTRICT, PIN - 689 672.

BY ADVS.SRI.ELVIN PETER P.J.
SRI.T.G.SUNIL (PRANAVAM)
SRI.K.R.GANESH.

RESPONDENT(S):-

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
FOOD & CIVIL SUPPLIES DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
2. THE KERALA STATE CIVIL SUPPLIES CORPORATION LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
GANDHI NAGAR, COCHIN - 682 020.
3. THE REGIONAL MANAGER,
KERALA STATE CIVIL SUPPLIED CORPORATION LTD.,
THIRUNAKKARA, KOTTAYAM - 686 001.
4. THE ASSISTANT MANAGER,
KERALA STATE CIVIL SUPPLIES CORPORATION LTD.,
TALUK DEPT, KOPLAKKOT BUILDING,
VALIYAPARAMBPADY, PAZHAVANGADY (P.O.),
PATHANAMTHITTA, PIN - 689 645.
5. SMT.SHEENAKUMARY.S.,
SENIOR ASSISTANT GRADE-I,
SUPPLYCO MAVELI STORE, RANNY ANGADI,
PATHANAMTHITTA, PIN - 689 645.

R1 BY GOVERNMENT PLEADER SMT.M.J.RAJASREE.
R2 TO R4 BY SMT.MOLLY JACOB,SC,SUPPLYCO
R2 TO R4 BY SRI.N.D.PREMACHANDRAN, SC, SUPPLYCO.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
04-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 TRUE COPY OF G.O.(Rt) NO.131/2013/F&CSD
 DATED 29/4/2013.
- EXT.P2 TRUE COPY OF LETTER DATED 8.10.2015 ISSUED BY THE
 GENERAL MANAGER, KERALA STATE CIVIL SUPPLIES
 CORPORATION LTD., TO ALL REGIONAL MANAGERS/DEPOT
 MANAGERS.
- EXT.P3 TRUE COPY OF THE ORDER DATED 1.12.2015 ISSUED BY
 THE 4TH RESPONDENT.

RESPONDENT'S EXHIBITS:-

NIL.

vku/-

[TRUE COPY]

K. Vinod Chandran, J

W.P.(C).No.36840 of 2015-D

Dated this the 04th day of December, 2015.

JUDGMENT

The petitioner, who is on deputation from the Civil Supplies Department to the respondent-Corporation, is aggrieved with Exhibit P3 transfer.

2. Displacement is not much, since the petitioner himself admits that he has been transferred from a Super-market of the respondent-Corporation to a nearby Maveli store. The petitioner's only grievance is that he has only five months left to complete his deputation and if he is now transferred, especially just prior to the Christmas sales, the stock of which has already arrived, he would be saddled with liability; unless he is permitted to conduct an inventory of the stock in the Super-market where he is put in charge.

3. The learned Standing Counsel for the respondent-Corporation submits that the 5th respondent is a Senior Assistant who has been put in charge of the Super-market

and the petitioner, a Junior Assistant, has been put in charge of a smaller store, which cannot be found fault with. It is also submitted that definitely the petitioner would be allowed to prepare inventory and then only handover the charge.

4. In the above circumstance, the 5th respondent shall be allowed to take charge; but, however, the petitioner shall be given at least two weeks or any further time as decided by the 5th respondent, to complete the inventory and handover charge to the 5th respondent. The petitioner shall be transferred only after such inventory is made and the charge taken over by the 5th respondent. The 5th respondent is not issued with notice, since this Court does not interfere with her transfer in any manner.

The writ petition is disposed of as above.

Sd/-
K.Vinod Chandran
Judge.

vku/-

[true copy]