

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 9TH DAY OF DECEMBER 2015/18TH AGRAHAYANA, 1937

WP(C).No. 36894 of 2015 (J)

PETITIONER(S):

SUMESH V.S,
VALAPPIL HOUSE, PUTHIYEDOM, KANJOOR P.O
ERNAKULAM, KERALA PIN 683 575

BY ADV. SRI.T.R.RAJAN

RESPONDENT(S):

1. THE REGIONAL EXECUTIVE DIRECTOR (SR),
THE AIRPORT AUTHORITY OF INDIA, SOUTHERN REGION
CHENNAI 27
2. THE ASSISTANT GENERAL MANAGER (HR),
DEPARTMENT OF HUMAN RESOURCE MANAGEMENT
THE AIRPORT AUTHORITY OF INDIA, SOUTHERN REGION
CHENNAI 27

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 36894 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 TRUE COPY OF THE ADMIT CARD OF THE PETITIONER

EXHIBIT P2 TRUE COPY OF THE COMMUNICATION DATED 08-12-2014 OF THE 1ST RESPONDENT TO THE PETITIONER

EXHIBIT P3. TRUE COPY OF THE COMMUNICATION DATED 13-2-2015 OF THE 1ST RESPONDENT TO THE PETITIONER

EXHIBIT P4 TRUE COPY OF THE NO OBJECTION CERTIFICATE DATED 30-01-2015 ISSUED BY THE RANGE FOREST OFFICER, MANNARKKAD RANGE

EXHIBIT P5 TRUE COPY OF THE EMAIL COMMUNICATION DATED 21-02-2015

EXHIBIT P6 TRUE COPY OF THE REPRESENTATION DATED 15-05-2015 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT

EXHIBIT P7 TRUE COPY OF THE ORDER NO AAI/ST/2-1/EA/2015 DATED 30-06-2015 ISSUED BY THE 1ST RESPONDENT

EXHIBIT P8 TRUE COPY OF THE REPRESENTATION DATED 03-07-2015 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS: NIL

TRUE COPY

P.A TO JUDGE

jma

K. VINOD CHANDRAN, J

W.P(C) No. 36894 of 2015

Dated this the 09th day of December, 2015

J U D G M E N T

The petitioner contends that he is aggrieved by Ext.P7.

It is to be noticed at the outset that the writ petition itself is grossly delayed for the reasons stated herein.

2. The petitioner is said to have applied for the post of Junior Assistant (Fire Service-NE-4). The petitioner's application was considered and Ext.P1 admit card was issued. The petitioner was called for an interview after the written test, by Ext.P2 and selected by Ext.P3. The petitioner was directed to report for the basic training course with effect from 23.02.2015. The petitioner admittedly did not join in the time specified. The petitioner contended that even as per Ext.P4 No Objection Certificate issued by his employer, he should be given one month's time to get relief from his employment. Essentially, it is to be noticed that Ext.P4 No Objection Certificate or the conditions in the same, does not in

any manner govern the respondents 1 and 2. It is for the petitioner to get relieved as directed by the respondents 1 and 2 and join for the course as directed in the appointment letter.

3. Further it is to be noticed that the petitioner had been sending requests for extension of time which was not allowed and eventually by letter dated 30.06.2015, it was informed to the petitioner that the petitioner's appointment would be cancelled for reason of the petitioner having not joined for the training course as indicated in Ext.P3 appointment letter. It is to be noticed that the training course itself was to start on 23.02.2015 and was to be till 02.07.2015. The petitioner ought to have approached this Court either before the training commenced or at least when the training was going on, immediately on commencement. The petitioner has thought it fit to merely send a representation for consideration of extension, which admittedly the respondents did not allow. The appointment was to a critical post, in view of the

fact that the appointees would be engaged in fire fighting work in the airports. The respondent authority had thought it fit that training be imparted to the appointees before they are deployed in the post. The training commenced and concluded as is indicated at Ext.P3 on 02.07.2015.

In such circumstance, the relief sought for by the petitioner cannot be granted and the writ petition would stand dismissed in limini.

Sd/-

(K. VINOD CHANDRAN, JUDGE)

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//true copy//

P.A to Judge