

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

WP(C).No. 37167 of 2015 (U)

PETITIONER(S):

1. MADHU T.P., S/O.KRISHNAN NAIR P. AGED 47 YEARS
THIRUMAGALATH, PARANNUR P.O, NARIKKUNI (VIA)
KOZHIKODE, SUB ENGINEER, ELECTRICAL SECTION
ERANHIKKAL, KOZHIKODE DISTRICT.
2. DINESHAN A.K. AGED 54 YEARS
S/O.NARAYANAN, ACHARUKUNNUMAL HOUSE, NAMMINAD P.O.
KOZHIKODE, ASSISTANT ENGINEER, ELECTRICAL SECTION
BALUSSERI, KOZHIKODE DISTRICT.

BY ADV. SRI.RAJIT

RESPONDENT(S):

1. KERALA STATE ELECTICITY BOARD
REPRESENTED BY SECRETARY, VYDYUTHI BHAVAN, PATTOM
THIRUVANANTHAPURAM - 695 004.
2. THE CHIEF ENGINEER (HUMAN RESOURCES MANAGEMENT)
VYDYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM - 695 004.

R BY SRI.K.S.ANIL, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
18-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 - TRUE COPY OF THE JUDGMENT IN O.P.NO.21479/2000 OF THIS HON'BLE COURT.

EXT.P2 - TRUE COPY OF THE ORDER NO.EB4-120(C)/1999 DATED 7.2.2013 ISSUED BY THE 2ND RESPONDENT.

EXT.P3 - TRUE COPY OF THE JUDGMENT IN WPC NO.15995/2003 OF THIS HON'BLE COURT.

EXT.P4 - TRUE COPY OF THE BOARD ORDER (CM)NO.2688/2009 (LAS III/4152/2003) DATED 7.11.2009 ISSUED BY THE 1ST RESPONDENT.

EXT.P5 - TRUE COPY OF THE COMMUNICATION NO.LAS III/49444/2003) DATED 14.6.2011 ISSUED BY THE 1ST RESPONDENT.

EXT.P6 - TRUE COPY OF THE ORDER NO.EB.4(B)/CCC1229/2009 DATED 7.6.2011 ISSUED BY THE 2ND RESPONDENT.

EXT.P7 - TRUE COPY OF THE JUDGMENT DATED 2.7.2013 IN WPC NO.3672/2012 OF THIS HON'BLE COURT

EXT.P8 - TRUE COPY OF THE JUDGMENT DATED 30.1.2014 IN WPC NO.5493/2012 OF THIS HON'BLE COURT.

EXT.P9 - TRUE COPY OF THE REPRESENTATIONS FILED BY THE PETITIONERS BEFORE THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS: NIL

TRUE COPY

P.A TO JUDGE

jma

K.VINOD CHANDRAN, J

W.P.(C).No. 37167 of 2015

Dated this the 18th day of December, 2015

J U D G M E N T

The petitioners are similarly situated like the petitioners in 28130 of 2014, in which a judgment was passed on 04.11.2014 following an earlier judgment of this Court in W.P.(C). No.5493 of 2012 and connected cases. The operative portion of the afore-cited decision is as follows:

“In the facts and circumstances, I do not see any discernible differentiation between the petitioners in the present writ petition on one hand and those in W.P.(C).No.5493/2012 and batch on the other, to deny what is otherwise a legitimate benefit to be given to the petitioners retroactively, though. Thus, the writ petition is allowed. No order as to costs. It is made clear that given the administrative exigencies and inevitable delays, this Court desires to fix a time frame in this regard. Accordingly, this Court directs the respondent Board to pay all the

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monetary benefits to the petitioners with effect from 23.07.2000 within three months from the date of receipt of a copy of this judgment”.

Hence, a similar direction shall be issued in the present case also.

The writ petition is allowed. No costs.

Sd/-
K.VINOD CHANDRAN,
Judge

jma

//true copy//

P.A to Judge