

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937

WP(C).No. 37961 of 2015 (U)

PETITIONERS:

1. N.M. ARUN, S/O. KRISHNAN NAIR,
CONDUCTOR, KSRTC, SULTHANBATHERI DEPOT,
RESIDING AT CHEVAYOOR P.O., KOZHIKODE 673 017.
2. SUDHEESH K.T., S/O. SWAMIDASAN, CONDUCTOR,
KSRTC, MANANTHAVADI DEPOT, RESIDING AT
THAZHAMANATTU VEEDU, GURUVAYOORAPPAN
COLLEGE P.O., KOZHIKODE - 14.
3. GOPALAKRISHNAN M.K. S/O. M. KELAPPAN,
CONDUCTOR, KSRTC, SULTHANBATHERI DEPOT,
RESIDING AT MANIKKUNI HOUSE, KARIYAMBADI P.O.
MEENANGADI VIA, WAYANAD DISTRICT 673 591.
4. SURESH BABU K., S/O. UNNERI KUTTY, CONDUCTOR,
KSRTC, KOZHIKODE, RESIDING AT KALATHINGAL VEEDU,
POOVATTU PARAMBU P.O., KOZHIKODE DISTRICT.
5. SURENDRA K.M., S/O. ARUMA, CONDUCTOR
KSRTC, THOTTILPALAM DEPOT, RESIDING AT
KILIVAALAN KANDIMEETHAL HOUSE, NOCHAD P.O.,
NADUVANNUR VIA, KOZHIKODE 673 624.

BY ADVS. SRI. T. P. RADEEP
SRI. P. K. SATHEES KUMAR

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY
THE SECRETARY TO THE GOVERNMENT
TRANSPORT (A) DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM 695 001.
2. KERALA STATE ROAD TRANSPORT CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM 695 001.

BY SENIOR GOVERNMENT PLEADER SMT. SANJEETHA K.A.
BY SRI. M. GOPIKRISHNAN NAMBIAR, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
15-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE MEMORANDUM ISSUED TO THE 1ST PETITIONER DATED 27.10.2004.
- EXHIBIT P2 : TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 1ST PETITIONER DATED 07.04.2012.
- EXHIBIT P2(a) : TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 2ND PETITIONER DATED 07.04.2012.
- EXHIBIT P2(b) : TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 3RD PETITIONER DATED 07.04.2012.
- EXHIBIT P2(c) : TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 4TH PETITIONER DATED 07.04.2012.
- EXHIBIT P2(d) : TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 5TH PETITIONER DATED 07.04.2012.
- EXHIBIT P3 : TRUE COPY OF THE AFFIDAVIT DATED 21.07.2005 FILED IN WPC NO. 28368/2004.
- EXHIBIT P4 : TRUE COPY OF THE JUDGMENT DATED 24.06.2008 IN W.A. NO. 1631/2007.
- EXHIBIT P5 : TRUE COPY OF THE MEMORANDUM DATED 06.01.2006 ISSUED BY THE 2ND RESPONDENT
- EXHIBIT P6 : TRUE COPY OF THE ORDER OF THE 1ST RESPONDENT DATED 28.01.2011.
- EXHIBIT P7 : TRUE COPY OF THE REPRESENTATION DATED 02.11.2015 PREFERRED TO THE 1ST RESPONDENT
- EXHIBIT P8 : TRUE COPY OF THE REPRESENTATION DATED 02.11.2015 PREFERRED TO THE 2ND RESPONDENT
- EXHIBIT P9 : TRUE COPY OF GO(MS) NO. 77/2011 DATED 22.12.2011.
- EXHIBIT P10 : TRUE COPY OF THE JUDGMENT DATED 29.07.2015 IN WPC NO. 16602/2015

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V.CHITAMBARESH, J.

W.P(C)NO. 37961 OF 2015

Dated this the 15th day of December, 2015

JUDGMENT

The contention of the petitioners is that they were appointed late notwithstanding the existence of vacancies. Such belated appointment has been deprecated in Ext.P4 judgment in W.ANo.1631/2007. The petitioners seek regularisation in service from the date of initial engagement and consequential benefits. Ext.P8 representation put in by the petitioners is pending consideration.

2. I direct the second respondent to consider Ext.P8 representation with notice to the first petitioner. The needful shall be done within a period of two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

V.CHITAMBARESH, JUDGE

sks

