2025:KER:31481

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE D. K. SINGH

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

WP(C) NO. 10801 OF 2025

PETITIONER/S:

1 NITHIN K.V., AGED 33 YEARS, S/O. VIJAYAN, KAKKANATT HOUSE, NANTHIYATTU KANNAM, ERNAKULAM, PIN - 683513

2 VIJEESH CHELLAPPAN, AGED 33 YEARS, S/O. CHELLAPPAN, THANDEL HOUSE, ERANELLOOR, ERNAKULAM DISTRICT, PIN - 686673

3 FAISAL C.R., AGED 30 YEARS, S/O. RAFEEQ, CHERUVALLYPARAMBA, NETTOOR P.O, ERNAKULAM, PIN - 682040

BY ADV T.V. JAYAKUMAR NAMBOODIRI

RESPONDENT/S:

1 KERALA PUBLIC ENTERPRISES (SELECTION & RECRUITMENT) BOARD VELLAYAMBALAM, VIKASBHAVAN, THIRUVANANTHAPURAM, REPRESENTED BY ITS SECRETARY, PIN - 695010

2 THE MANAGING DIRECTOR
STEEL INDUSTRIAL KERALA LTD, SILK NAGAR, ATHANI P.O, THRISSUR, PIN - 680581

BY ADVS. ANAND K (SR), LATHA ANAND
DEV NATH A.
THEERTHA NAIR A.P.

THIS WRIT PETITION (CIVIL) HAVING FINALLY HEARD ON 10.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioners in this writ petition were the candidates for the post of Skilled Workers (Welders and Fitters), in pursuance of the notification issued by the 2nd respondent dated 19.09.2018. In the said notification, applications were invited from candidates for appointment in various categories including two vacancies of Workman (Welder) and two vacancies of Workman (Fitter). The minimum experience prescribed was three years in the relevant field. The last date for submission of the application as per the aforesaid notification was 03.10.2018.

2. Pursuant to the above notification, recruitment to the four vacancies of Workmen (two each of Welder and Fitter) was taken forward through the Centre for Management Development, a Government Agency. M/S CMD conducted the written test on 05.01.2019, and the skilled test was held on 02.02.2019 and 03.02.2019. Twenty-five

candidates participated in the written test and skill test for the post of Welder, and thirty-one candidates participated in the post of Fitter. After the skill test, the interview was held on 16.02.2019 and twenty-three candidates participated in the interview for the post of Welder and twenty-four candidates participated against the post of Fitter. The rank list was prepared after the interview and the same was approved by the Board of Directors of the 2nd respondent, *i.e.*, Steel Industrial Kerala Limited.

3. Immediately thereafter, the Code of Conduct for the General Elections 2019 came into effect, and the rank list could not be published. Then, the COVID-19 pandemic ensued, and a lockdown was imposed. Therefore, the rank list could not be published during this time either. In the meantime, two persons who had applied pursuant to the notification dated 19.09.2018 filed W.P.(C) No.42277/2024. This Court disposed of the said writ petition *vide* judgment dated 29.11.2024 directing the Government to consider the representation submitted by

the petitioners and pass appropriate orders.

4. The Government *vide* order dated 21.02.2025 had directed the 2nd respondent to publish the rank list for the selection made pursuant to the notification issued on 19.09.2018. In pursuance of the said direction issued by the Government, the rank list was published on 12.03.2025. The eligible candidates were issued appointment orders on 15.03.2025. The two candidates against the post of Fitter joined on 17.03.2025 and 18.03.2025. One candidate with respect to the post of Welder joined on 17.03.2025. Because of the interim order passed by this Court, the second candidate for the post of Welder had not joined.

5. In the meantime, when the rank list in pursuance of the notification dated 19.09.2018 was under consideration before the Government, a second notification was issued on 26.02.2020 inviting applications from candidates for selection *inter alia* to the post of Skilled Worker Trainee (Welder) and skilled Worker Trainee (Fitter). In pursuance to the selection made in respect to the notification dated

26.02.2020 for the selection of Skilled Worker Trainee (Welder) and (Fitter), the rank list was published in Exts.P1 and P2.

6. It is submitted on behalf of the respondent that the post advertised *vide* notification dated 19.09.2018 was different to the post advertised by the notification dated 26.02.2020, having different eligibility and qualifications. It is further submitted that the selection made in pursuance of the notification dated 26.02.2020 has nothing to do with the post advertised *vide* notification 19.09.2018 and there is no overlapping. It is submitted that the contention raised by the learned Counsel for the petitioners that the second respondent is clandestinely appointing candidates to the post of Welder and Fitter is wholly incorrect.

7. The allegation of the petitioner that instead of appointing the persons from the rank list in pursuance of the notification dated 19.09.2018, a separate rank list has been prepared by the second respondent has no force and no legs to stand inasmuch as the rank list

in Exts P1 and P2 have been prepared in pursuance of the selection made in respect of the notification dated 26.02.2020, and that too, to the post of Skilled Worker Trainee (Welder) and Skilled Worker Trainee (Fitter) for which the experience required is only one year whereas, for the post of Skilled Worker (Welder) and Skilled Worker (Fitter) for which the notification was issued on 19.09.2018, the experience required is three years.

8. As the impugned rank list in Exts.P1 and P2 have been prepared in pursuance of the notification dated 26.02.2020, that too for a different post than that was advertised/notified by notification dated 19.09.2018, this Court does not find that there is any substance in the writ petition, which is hereby dismissed. All Interlocutory Applications as regards interim matters stand closed.

Sd/-

D. K. SINGH

JUDGE

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APPENDIX OF WP(C) 10801/2025

PETITIONER EXHIBITS

Exhibit P-1	TRUE COPY OF THE RANK LIST OF SKILLED WORKER-WELDER, PUBLISHED BY THE 1ST RESPONDENT DATED 25-07-2024
Exhibit P-2	TRUE COPY OF THE RANK LIST DATED 25-07-2024 PUBLISHED BY THE 1ST RESPONDENT FOR SKILLED WORKER - FITTER
Exhibit P-3	TRUE COPY OF THE INFORMATION RECEIVED BY ONE OF THE RANK HOLDER FROM THE OFFICE OF THE 1ST RESPONDENT DATED 04-01-2025 ALONG WITH ENGLISH TRANSLATION
Exhibit P-4	TRUE COPY OF THE INFORMATION, DATED JANUARY 24, 2025, FROM THE PUBLIC INFORMATION OFFICER OF THE SECOND RESPONDENT ALONG ITS ENGLISH TRANSLATION
Exhibit P-5	TRUE COPY OF THE RANK LIST DATED 12-03-2025 PUBLISHED BY THE 2ND RESPONDENT FOR THE POST OF WORKMEN (WELDER)
Exhibit P-6	TRUE COPY OF THE RANK LIST DATED 12-03-2025 PUBLISHED BY THE 2ND RESPONDENT FOR THE POST OF WORKMEN (FITTER)

RESPONDENT EXHIBITS

Exhibit R2(a)	True copy of the notification dated 19.09.2018 issued by the 2nd Respondent
Exhibit R2(b)	True copy of the relevant extract of the resolution of the 197th meeting of the Board of Directors of the 2nd Respondent
Exhibit R2(c)	True copy of the judgment dated 29.11.2024 in WPC.No.42277 of 2024 of this Honourable Court
Exhibit R2(d)	True copy of the Government Order No.195/2025/ ID dated 21.02.2025 and along with English translation

RESPONDENT EXHIBITS

Exhibit R3 (1)	THE TRUE COPY OF THE EXHIBIT P5 RANK LIST DATED 12/03/2025