IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR.JUSTICE P. KRISHNA KUMAR

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

OP(KAT) NO. 150 OF 2025

AGAINST THE JUDGMENT DATED 18.02.2025 IN OA (EKM) NO.276 OF 2025 OF KERALA ADMINISTRATIVE TRIBUNAL AT THIRUVANANTHAPURAM (ADDITIONAL BENCH, ERNAKULAM)

PETITIONER/APPLICANT:

SINDHU.V.N, AGED 49 YEARS, D/O.NARAYANAN KUTTY, VADAKKEDATH HOUSE, PANANGAD P.O., ERNAKULAM, PIN – 682 506

BY ADV K.M.FIROZ

RESPONDENTS/RESPONDENTS:

1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY, HEALTH DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM, PIN – 695 001

2 DISTRICT MEDICAL OFFICER, OFFICE OF THE DISTRICT MEDICAL OFFICE (HEALTH), ERNAKULAM, PARK AVENUE, ERNAKULAM, PIN – 682 011

3 JUNIOR EMPLOYMENT OFFICER, TOWN EMPLOYMENT EXCHANGE, TRIPUNITHURA, PIN – 682 301

4 SUNIMOL.K.P., NADUVILAPADAVIL HOUSE, PADINJAREVELIYATHNADU.P.O., ALUVA, ERNAKULAM

DISTRICT, PIN – 683 511

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP FOR ADMISSION ON 10.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J U D G M E N T

A. Muhamed Mustaque, J.

This is an unfortunate case where the petitioner could not appear for the interview for want of service of notice on her for the appointment as part-time sweeper in Ernakulam District under the Health Department. The interview notice addressed to her was returned with an endorsement " no such addressee".

2. Though a plea was made by the learned counsel for the petitioner that she should be considered for the present appointment, considering the fact that already a person has been engaged due to the absence of the petitioner, this request cannot be considered.

3. Having considered the facts that the petitioner belongs to a marginalised community and her financial circumstances, we are of the view that the Employment Exchange shall sponsor her again for any next arising vacancies in any eligible post, and the age limit also shall be relaxed for her for two years.

4. These directions are issued in the peculiar

circumstances of the case, and it is now reported that there are no other vacancies now existing for accommodating the petitioner. The third respondent shall comply with this order untrammelled by earlier absence.

This original petition is disposed of as above.

Sd/-
A.MUHAMED MUSTAQUE
JUDGE

Sd/-
P. KRISHNA KUMAR
JUDGE

PR

APPENDIX OF OP(KAT) 150/2025

PETITIONER ANNEXURES

Annexure A1	**ANNEXURE A1 - A TRUE COPY OF THE REPRESENTATION DATED 6.2.2023 SUBMITTED BY THE APPLICANT BEFORE THE DISTRICT MEDICAL OFFICER (HEALTH), PARK AVENUE, ERNAKULAM – 682011 ON 6.2.2023**
Annexure A2	**ANNEXURE A2 - A TRUE COPY OF THE COMMUNICATION NO.A3-21687/2021 DATED 13-2-2023 RECEIVED BY THE APPLICANT ON 5.12.2024**
Annexure A3	**ANNEXURE A3 - A TRUE COPY OF THE COMMUNICATION ISSUED BY DEPUTY SUPERINTENDENT OF POST OFFICES, ERNAKULAM DIVISION TO THE APPLICANT DATED 11.4.2023**
Exhibit P1	**A TRUE COPY OF THE ORIGINAL APPLICATION MEMORANDUM, OA [EKM] NO. 276 OF 2025 DATED 10.2.2025 WITH ANNEXURES**
Exhibit P2	**A TRUE COPY OF THE ORDER DATED 18.2.2025 IN OA OA[EKM] NO. 276 OF 2025**
Exhibit P3	**A TRUE COPY OF THE PROCEEDINGS DATED 4.3.2023 OF THE PUBLIC INFORMATION OFFICER AND JUNIOR SUPERINTENDENT (A) SECTION, DISTRICT MEDICAL OFFICE (HEALTH), ERNAKULAM**