

C.Sadasivan Vs. State of Kerala

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Court : Kerala

Decided On : Dec-20-2012

Judge : Honourable Mr.Justice C.K.Abdul Rehim

Appellant : C.Sadasivan

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM THURSDAY, THE 20TH DAY OF DECEMBER 2012 29TH AGRAHAYANA 193 WP(C).No. 30927 of 2012 (M) ----- PETITIONER(S): ----- C.SADASIVAN, AGED 4 YEARS S/O.CHELLAPPAN, OORAMPADY KUNNIL HOUSE, RIPPON P.O. MEPPADY

577. WAYANAD DISTRICT (DRIVER KERALA STATE ROAD TRANSPORT CORPORATION, KALPETTA DEPOT). BY ADV. SRI.K.P.JUSTINE (KARIPAT) RESPONDENT(S): ----- 1. STATE OF KERALA REPRESENTED BY THE SECRETARY TO TRANSPORT (B) DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM

001.

2. THE CHAIRMAN AND MANAGING DIRECTOR, KERALA STATE ROAD TRANSPORT CORPORATION TRANSPORT BHAVAN, EAST FORT THIRUVANANTHAPURAM

023.

3. THE EXECUTIVE DIRECTOR (ADMINISTRATION) KERALA STATE ROAD
TRANSPORT CORPORATION TRANSPORT BHAVAN, EAST FORT
THIRUVANANTHAPURAM

023.

4. THE ASSISTANT TRANSPORT OFFICER KERALA STATE ROAD
TRANSPORT CORPORATION, KALPETTA

121. BY SRI.BABU JOSEPH KURUVATHAZHA,SC,KSRTC THIS WRIT
PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20-12-2012, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C).No. 30927
of 2012 (M) APPENDIX PETITIONERS' EXHIBITS EXT. P1 COPY OF
PROFORMA DATED 15 10.2012 SENT BY THE 4TH RESPONDENT TO THE
1ST RESPONDENT. EXT. P2 COPY OF THE DUTY PASS OF PETITIONER
ISSUED BY THE RESPONDENT CORPORATION. EXT. P3 COPY OF THE LIST
OF THE ORDER G.O.(MS) NO.78/2011/TRAN. DATED 22 12.2011 ISSUED BY
THE 1ST RESPONDENT. EXT. P4 COPY OF JUDGMENT DATED 15 3.2012 IN
WP(C) NO. 3100/2012 OF THIS HONOURABLE COURT. EXT. P5 COPY OF
THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE
2ND RESPONDENT DATED 20 11.2012. RESPONDENTS' EXHIBITS : NIL
/TRUE COPY/ P. A. TO JUDGE PN C.K. ABDUL REHIM, J.

----- W.P.(C). No. 30927 of 2012
----- Dated this the 20th day of December, 2012
JUDGMENT Petitioner is working as an empanelled driver under the 2nd
respondent Corporation. He claims that in view of his continued service he is
entitled to be regularised in service of the Corporation, on the basis of Exhibit P3
Government Order and on the basis that so many other similarly situated persons
have already been regularised. It is also mentioned that the 4th respondent had
recommended him for regularisation, as evident from Exhibit P1. But no steps
were taken to issue any orders. Since the request was not considered, the
petitioner had approached the 2nd respondent on submitting Exhibit P5

representation. The petitioner is seeking direction from this court for an early consideration and disposal of Exhibit P5.

2. Heard; standing counsel appearing for respondents. I am of the opinion that interest of justice will be served if a direction is issued to the 2nd respondent to consider and W.P.(C). No. 30927 of 2012 -2- dispose of Exhibit P5 within a time to be stipulated.

3. Therefore the writ petition is disposed of directing the 2nd respondent to consider and to take an appropriate decision on the request made by the petitioner seeking regularisation, if necessary after affording an opportunity of personal hearing to the petitioner. A decision in this regard shall be taken at the earliest possible, at any rate within a period of 2 months from the date of receipt of a copy of this judgment. Sd/- C.K. ABDUL REHIM, JUDGE /True copy/ P. A. to Judge Pn

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