

**Ali C.H. Vs. Managing Director**

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**SooperKanoon Citation :** [sooperkanoon.com/1012384](http://sooperkanoon.com/1012384)

**Court :** Kerala

**Decided On :** Dec-31-2012

**Judge :** Honourable Mr.Justice V.Chitambaresh

**Appellant :** Ali C.H.

**Respondent :** Managing Director

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE V.CHITAMBARESH MONDAY, THE 31ST DAY OF DECEMBER 2012 10TH POUSHA 193 WP(C).No. 30239 of 2012 (D) ----- PETITIONER(S): ----- ALI C.H., AGED 4 YEARS S/O.HYDRU,CHELAKKADAN HOUSE,AMBUKUTHI THOVARIMALA.P.O,SULTHANBATHERY,WAYANAD DISTRICT PIN:673592.(CONDUCTOR KERALA STATE TRANSPORT CORPORATION SULTHANBATHERY NOW BEING DISENGAGED FROM DUTY) BY ADV. SRI.K.P.JUSTINE (KARIPAT) RESPONDENT(S): ----- 1. MANAGING DIRECTOR, KERALA STATE ROAD TRANSPORT CORPORATION TRANSPORT BHAVAN,FORT.P.O,THIRUVANANTHAPURAM PIN-695023.

2. THE EXECUTIVE DIRECTOR(VIGILANCE), KERALA STATE ROAD TRANSPORT CORPORATION TRANSPORT BHAVAN,FORT.P.O,THIRUVANANTHAPURAM PIN-695023.

3. THE EXECUTIVE DIRECTOR(ADMINISTRATION), KERALA STATE ROAD  
TRANSPORT CORPORATION TRANSPORT  
BHAVAN,FORT.P.O,THIRUVANANTHAPURAM-695023.

4. THE ASSISTANT TRANSPORT OFFICER, KERALA STATE ROAD  
TRANSPORT CORPORATION SULTHANBATHERY,WAYANAD

592. R BY SRI.BABU JOSEPH KURUVATHAZHA,SC,KSRTC THIS WRIT  
PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31-12-2012, THE  
COURT ON THE SAME DAY DELIVERED THE FOLLOWING: APPENDIX IN  
W.P.(C) NO.30239 OF 201.PETITIONER(S) EXHIBITS EXT-P1 TRUE COPY OF  
THE RECEIPT NO.CH.14386 DATED 12 11.1993. EXT-P2 TRUE COPY OF THE  
G.O.(MS)78/2011 DATED 22 12.2011 EXT-P3 TRUE COPY OF THE ORDER  
NO.PL.12/025739/2008 DATED 7 4.2012 OF THE PERSONNEL MANAGER.  
EXT-P4 TRUE COPIES OF THE PAY SLIP OF THE PETITIONER FOR THE  
MONTH MAY,2012 AND JUNE 2012 EXT-P5 TRUE COPY OF THE DUTY PASS  
ISSUED TO THE PETITIONER EXT-P6 TRUE COPY OF THE ORDER NO.VLC1  
023985/2012 DATED 27 7.2012. EXT-P7 TRUE COPY OF THE RELEVANT  
COPIES OF THE ORDER NO.572/10/TRANSPORT DATED 15 12.2010. EXT-P8  
TRUE COPIES OF THE SAID PAY SLIPS FOR 10/2012 AND 11/2012, OF THE  
PETITIONER. EXT-P9 TRUE COPY OF THE REPRESENTATION DATED 15  
12.2012 SENT TO THE 1ST RESPONDENT. //TRUE COPY// P.S. TO JUDGE.  
V.CHITAMBARESH, J.

----- W.P.(C) No.30239 of 2012 ----- Dated  
this the 31st day of December, 2012

#### JUDGMENT

The petitioner joined as a reserved conductor in the service of the Kerala State Road Transport Corporation ('KSRTC' for short). He was disengaged from duty by Ext.P6 order on the allegation of embezzlement of money belonging to KSRTC. The contention of the petitioner is that KSRTC should not have disengaged him from duty and could have at best placed him under suspension.

2. The Standing Counsel for KSRTC submits that orders are being passed placing the petitioner under suspension. This is recorded. The writ petition is disposed of without prejudice to the right of the petitioner to challenge the order of suspension and other proceedings appropriately. V.CHITAMBARESH, Judge. nj.

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