

Raseeda Vs. Kerala Veterinary and Animal Science University

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Court : Kerala

Decided On : Jan-30-2014

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

Appellant : Raseeda

Respondent : Kerala Veterinary and Animal Science University

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM THURSDAY, THE 30TH DAY OF JANUARY 2014 10TH MAGHA, 1935 WP(C).No. 30921 of 2013 (M)

----- PETITIONERS: ----- 1. RASHEEDA, AGED 39 YEARS, D/O. HYDERU, KUPPOTTIL HOUSE, MURIYAKANNI, THIRUVIZHAMKUNNU, PALAKKAD.

2. JAMEELA, AGED 42 YEARS, W/O. HAMSA, THAYYIL HOUSE, MURIYAKANNI, THIRUVIZHAMKUNNU, PALAKKAD.

3. NAFEESA, AGED 48 YEARS, W/O. SAIFUDHEEN, ALIKKAL HOUSE, MURIYAKANNI, THIRUVIZHAMKUNNU, PALAKKAD. BY SRI.RENJITH THAMPAN, SENIOR ADVOCATE, ADV. SMT.P.R.REENA. RESPONDENTS: ----- 1. KERALA VETERINARY AND ANIMAL SCIENCE UNIVERSITY, POOKKODE, WAYANAD DISTRICT, REPRESENTED BY ITS REGISTRAR-673 507.

2. THE PROFESSOR AND HEAD, LIVESTOCK RESEARCH STATION, THIRUVIZHAMKUNNU, MANNARKKAD, PALAKKAD DISTRICT, PIN-678 601. BY SRI.MILLU DANDAPANI,S.C. THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 3001-2014, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: Prv. W.P.(C).NO.30921/2013-M: APPENDIX PETITIONERS' EXHIBITS: P1: TRUE COPY OF THE

ORDER

ISSUED BY THE KERALA VETERINARY AND ANIMAL SCIENCE UNIVERSITY DATED 213-2011. P1(A): TRUE COPY OF THE

ORDER

ISSUED BY THE KERALA VETERINARY AND ANIMAL SCIENCE UNIVERSITY DATED 134-2012. P1(B): TRUE COPY OF THE

ORDER

ISSUED BY THE KERALA VETERINARY AND ANIMAL SCIENCE UNIVERSITY DATED 21-13. P2: TRUE COPY OF THE LETTER DATED 61-2005 OF THE KERALA AGRICULTURAL UNIVERSITY. P3: TRUE COPY OF THE

ORDER

DATED 127-2010 OF THE KERALA AGRICULTURAL UNIVERSITY. P3(A): TRUE COPY OF THE

ORDER

OF THE KERALA AGRICULTURAL UNIVERSITY DTD. 31-7-2010. P4: TRUE COPY OF THE AGREEMENT EXECUTED BY THE PATHUMMA DATED 134-2012. P5: TRUE COPY OF THE PROTOTYPE OF THE APPLICATION WITH THE TERMS AND CONDITIONS ON THE BACKSIDE. P6: TRUE COPY OF THE RECEIPT ISSUED TO THE 1ST PETITIONER RASHEED DATED 76-2013. P6A: TRUE COPY OF THE RECEIPT ISSUED TO THE 2ND PETITIONER DATED 136-2013. P6B: TRUE COPY OF THE RECEIPT ISSUED TO THE 3RD PETITIONER DATED 126-2013. P7: TRUE COPY OF THE

JUDGMENT

IN W.P.(C). NO. 19595/2013 DATED 30-8-2013. P8: TRUE COPY OF THE

JUDGMENT

IN W.A NO. 1773/2013 DATED 5-12-13. P9: TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONERS DATED 9-12-13 ALONG WITH THE LETTER ISSUED BY PATHUMMA. RESPONDENTS' EXHIBITS: NIL. //TRUE COPY// P.A. TO JUDGE. Prv. C.K. ABDUL REHIM, J.

----- W.P.(c) No. 30921 OF 2013M
----- DATED THIS THE 30th DAY OF JANUARY,
2014.

JUDGMENT

Claim of the petitioners is that they are contract workers eligible to be absorbed as CLR workers, in view of the decision taken by the 1st respondent University. The petitioners have submitted applications for the said purpose in the prescribed format, Ext.P5. Despite submission of such applications their case was not considered for absorption, is the complaint raised.

2. Learned Standing counsel appearing for the respondents submitted that, the petitioners are claiming relaxation with respect to conditions 1 to 3 stipulated in Ext.P5 application, with regard to eligibility for absorption. Going by Ext.P5, with respect to candidates who are seeking exemption from the eligibility criteria has to produce relevant certificate obtained from the Head of the Department where the candidates were working and also should specify the details regarding such contract employment. It is stated that the petitioners have not produced such details or certificates as required. Hence their applications could not be considered, is the submission. W.P.(c) No.30921/2013 -2- 3. If the petitioners claim that they are eligible to be absorbed as per the conditions prescribed, then they have to submit proper applications supported by necessary certificates. If the petitioners have got a claim that they were working on contract basis or daily wage basis, they have to obtain certificates from the Head of the Department to that effect and should produce the same along with the application in the prescribed format. It is left open to the petitioners to apply for such certificates and to get it

from the Head of the Departments and to produce the same before the 1st respondent for consideration of their claim for absorption as CLR. If the petitioners approach before the 2nd respondent seeking such certificates the same shall be considered and appropriate decision shall be taken by the 2nd respondent.

4. Leaving open the liberty of the petitioners to produce necessary documents and to claim absorption as CLR workers on the basis of such document, this writ petition is disposed of. Sd/- C.K. ABDUL REHIM, JUDGE. AMG True copy P.A to Judge

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