

Mukil Murali vs the Scrutiny Commit for Verification of Community Certificate

Mukil Murali vs the Scrutiny Commit for Verification of Community Certificate

SooperKanoon Citation : sooperkanoon.com/1297212

Court : Kerala

Decided On : May-28-2024

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : WP(C)/4512/2017

Appellant : Mukil Murali

Respondent : The Scrutiny Commit for Verification of Community Certificate

Judgement :

WP(C) NO. 4512 OF 2017 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
TUESDAY, THE 28TH DAY OF MAY 2024 / 7TH JYAISHTA, 1946
WP(C) NO. 4512 OF 2017 PETITIONER/S: 1 MUKIL MURALI AGED 26
YEARS AGED 26 YEARS, S/O MURALI, CHALIL HOUSE,
KOLAHALAMEDU P.O IDUKKI DIST- 685 501 2 BIJU P.B. AGED 38
YEARS AGED 38 YEARS, S/O BHASKARAN PANNIKUZHIL HOUSE,
KOLAHALAMEDU P.O. IDUKKI DIST- 685 501 BY ADVS.
SRI.M.R.ANISON SMT.V.BHARGAVI PANANGAD SMT.K.P.GEETHA

MANI SMT.P.A.RINUSA RESPONDENT/S: 1 THE SCRUTINY COMMITTEE FOR VERIFICATION OF COMMUNITY CERTIFICATE REP. BY ITS CHAIRMAN, SCHEDULED CASTES AND SCHEDULED TRIBES DEVELOPMENT DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM- 695 001 2 THE VIGILANCE CELL OF THE KERALA INSTITUTE FOR RESEARCH TRAINING AND DEVELOPMENT STUDIES OF SCHEDULE REP. BY ITS VIGILANCE OFFICER, DIRECTORATE OF KIRTADS, KOZHIKODE- 673 017 WP(C) NO. 4512 OF 2017 2 3 THE KERALA VETERINARY AND ANIMAL SCIENCE UNIVERSITY POOKEDE LAKKIDI P.O. WAYANAD- 673 576 REP. BY ITS REGISTRAR 4 SUMESH T. CASUAL LABOURER, BASE FARM, KOLAHALAMEDU P.O. IDUKKI DISTRICT- 685 501 5 NISHAD S CASUAL LABOURER, BASE FARM, KOLAHALAMEDU, KERALA VETERINARY AND ANIMAL SCIENCE UNIVERSITY, KOLAHALAMEDU P.O. IDUKKI DIST.685 501 6 ABHILASH S. CASUAL LABOURER, BASE FARM, KOLAHALAMEDU, KERALA VETERINARY AND ANIMAL SCIENCE UNIVERSITY, KOLAHALAMEDU P.O. IDUKKI DIST.685 501 BY ADVS. SMT.AYSHA YOUSEFF, SC, KERALA VETERINARY AND ANIMAL SCIENCES SMT.P.K.SANTHAMMA MANU GOVIND, SC, KERALA VETERINARY AND ANIMAL SCIENCES UNIVERSITY, SRI.V.K.SUNIL, SR.GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28.05.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C) NO. 4512 OF 2017 3 P.V.KUNHIKRISHNAN, J ----- W.P.(C.) No. 4512 of 2017 ----- Dated this the 28th day of May, 2024

JUDGMENT

The above writ petition is filed with following prayers : a) to issue a writ of certiorari or other appropriate writ

order or direction, to quash Ext.P2 rank list and Ext.P3

rotation chart to the extent of Including the respondents 4 to 6 in those list under the Scheduled Caste quota;

(b) to issue a writ of mandamus or other appropriate write

order direction directing the 3rd respondent to terminate the

service of the respondents 4 to 6 from the post of Casual Labourers in the Base Farm, Kolahalamedu, since they are not entitled for Scheduled Caste benefits;

(c) to issue a writ of mandamus or other appropriate writ

order or direction directing the 3rd respondent to appoint the

petitioners to the post of Casual Labourers from Ext.P2 ranked list under the Scheduled Caste quota by removing the respondents 4 to 6 from the post of Casual Labourers;

(d) to issue a writ of mandamus or other appropriate writ

order or direction directing the 1st and 2nd respondents to

complete the enquiry regarding the caste status of WP(C) NO. 4512 OF 2017 4 respondents 4 to 6 based on Ext.P7 complaint and Ext.P8 notice within a time frame;

(e) to issue a writ of mandamus or other appropriate writ

order or direction, directing 3rd respondent to appoint

petitioners as Casual Labourers based on their ranking in Ext. P2 ranked list, In the consequential vacancy arising on termination of service of the respondents 4 to 6;

(f) to declare that expiry of Ext.P2 ranked list will not

stand in the way of 3rd respondent appointing the writ petitioners as Casual Labourers under Schedule Caste quota in the vacancies arising consequent on the termination of service of respondents 4 to 6; AND

(g) to pass such other and further orders as are deemed just and necessary in the facts and circumstances of the case. [sic]

2. When this writ petition came up for consideration,

the learned counsel appearing for the 3rd respondent takes me through Ext.R3(a) produced along with the counter, in which it is stated that the petitioners are already appointed. If that is the case, nothing survives in this case. Recording the above submission, the writ petition is closed. But, if there is any further grievance to the petitioners, WP(C) NO. 4512 OF 2017 5 the same is left open. With the above observation, this writ petition is closed. sd/- P.V.KUNHIKRISHNAN JUDGE SKS WP(C) NO. 4512 OF 2017 6 APPENDIX OF WP(C) 4512/2017 PETITIONER EXHIBITS EXHIBITP1 TRUE COPY OF NOTIFICATION ISSUED BY THE

3RD RESPONDENT INVITING APPLICATION FOR APPOINTMENT TO THE POST OF CASUAL LABOURERS IN BASE FARM, KALHALAMEDU, DATED 24-04-2013

EXHIBIT P2 TRUE COPY OF THE RANK LIST PUBLISHED BY THE 3RD RESPONDENT FOR APPOINTMENT TO THE POST OF CASUAL LABOURERS EXHIBIT P3 TRUE COPY OF THE ROTATION CHART OF CASUAL LABOURERS (MALE) EXHIBIT P4 TRUE COPY OF THE COMPLAINT SUBMITTED BY THE 2ND PETITIONER BEFORE THE DIRECTOR OF SCHEDULE DCASTE DEVELOPMENT DATED 08-07- EXHIBIT P5 TRUE COPY OF THE REPORT SUBMITTED BY THE SUB INSPECTOR OF POLICE, VAGAMON POLICE STATION, VAGAMON DATED 09-12-2016 EXHIBITP6 TRUE COPY OF THE REPORT SUBMITTED BY THE VILALG EOFFICER, VAGAMON DATED 01-11-2016 EXHIBITP7 TRUE COPY OF THE COMPLAINT SUBMITTED BY THE 2ND PETITIONER BEFORE THE 1ST RESPONDENT DATED 28-10-2016 EXHIBIT P8 TRUE COPY OF THE NOTICE ISSUED BY THE 3RD RESPONDENT DATED 30-12-2016

