

Manoj Kumar K vs State of Kerala

Manoj Kumar K vs State of Kerala

SooperKanoon Citation : sooperkanoon.com/1445055

Court : Kerala

Decided On : Jul-26-2022

Judge : Honourable Mr. Justice Devan Ramachandran

Appeal No. : WP(C)/2313/2022

Appellant : Manoj Kumar K

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN TUESDAY, THE 26TH DAY OF JULY 2022 / 4TH SRAVANA, 1944 WP(C) NO. 2313 OF 2022 PETITIONER: MANOJ KUMAR K, AGED 48 YEARS S/O. NARAYANAN NAMBIAR K., 'UTHRAM', MALAKKUTHAZHE, MATTANNUR P. O., KANNUR - 670 702. BY ADVS. KALEESWARAM RAJ THULASI K. RAJ VARUN C.VIJAY RESPONDENTS: 1 STATE OF KERALA, REPRESENTED BY SECRETARY, DEPARTMENT OF DEVASWOM, SECRETARIAT, THIRUVANANTHAPURAM - 695 001.

2 SECRETARY, DEPARTMENT OF HIGHER EDUCATION, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 3 CHIEF

SECRETARY, GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 4 GURUVAYUR DEVASWOM MANAGING COMMITTEE GURUVAYUR P. O., THRISSUR - 680 101. 5 GURUVAYUR DEVASWOM BOARD, REPRESENTED BY ADMINISTRATOR, GURUVAYUR DEVASWOM, GURUVAYUR P. O., THRISSUR - 680101. 6 MANAGER / ADMINISTRATOR, GURUVAYUR DEVASWOM, GURUVAYUR P. O., THRISSUR - 680 101. 7 SREEKRISHNA COLLEGE, GURUVAYUR REPRESENTED BY MANAGER, GURUVAYUR, THRISSUR - 680 101. 8 PRINCIPAL, SREEKRISHNA COLLEGE, GURUVAYUR, THRISSUR - 680 101. BY ADV T.K.VIPINDAS SMT RESMI THOMAS-GP; THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26.07.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

When this matter was called today, learned counsel on both sides were ad idem that identical issues, as impelled in this case, had been considered and decided by this Court in the judgment in WP(C)No.2395/2022. In the afore circumstances, I am certain that the petitioner herein is also entitled to be dealt with in the same manner as the petitioners in the aforementioned judgment. Resultantly, I order this Writ Petition in the following manner:

(a) The competent Authority of the Government will hear

the petitioner and decide if the benefit of age relaxation can be granted to him, after analyzing his claim impelled under Section 57(6) (a) and (b) of the Calicut University Act, 1975. b) If, through the afore exercise, the petitioner is found eligible for being granted age relaxation, then appropriate orders will be issued, so as to enable him to take part in the selection process now set in motion by the Devaswom Board through their Notification of the year 2018.

(c) For the afore purpose, the Government will hear the parties at the earliest and issue appropriate orders as above within a period of three weeks from the date of receipt of a copy of this

judgment.

(d) To ensure an expeditious compliance of the afore directions, I direct the petitioner to mark appearance before the Competent Secretary of the Government at 11:00 AM on 05.08.2022.

(e) Until such time as the afore exercise is completed and

the resultant orders communicated to the petitioner, vacancies in the post of Office Attendant will not be filled up, even if the interview and other processes are conducted or concluded during the said period.

(f) Needless to say, if the petitioner is found entitled to be

included in the selection process through age relaxation, he will be put through the process under it, notwithstanding the fact that said process may have been completed. Sd/- RR DEVAN RAMACHANDRAN JUDGE APPENDIX OF WP(C) 2313/2022 PETITIONER EXHIBITS Exhibit P1 COPY OF THE APPOINTMENT ORDER DATED 03.06.2000 OF THE PETITIONER. Exhibit P2 COPY OF THE ORDER DATED 01.07.2003 IN O.P.NO.14594/2002. Exhibit P3 COPY OF THE TERMINATION ORDER DATED 31.03.2004. Exhibit P4 COPY OF THE JUDGMENT DATED 29.07.2004 IN WP(C) NO.12083/2004. Exhibit P5 COPY OF THE G.O.(RT) NO.1129/2019/HEDN. DATED 04.07.2019. Exhibit P6 COPY OF THE JUDGMENT DATED 25.09.2017 IN WP(C) NO.7781/2017. Exhibit P7 COPY OF THE G.O.(P) 182/74/PD DATED 26.07.1974.

Exhibit P8 COPY OF THE LETTER DATED 28.11.2009. Exhibit P 20.03.2019 IN WP(C) NO.8486/2019.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com