

**A.Bindu vs State of Kerala,**

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**SooperKanoon Citation :** [sooperkanoon.com/1726552](http://sooperkanoon.com/1726552)

**Court :** Kerala

**Decided On :** Mar-09-2021

**Judge :** Honourable Mr. Justice Alexander Thomas, Honourable Mr. Justice T.R.Ravi

**Appeal No. :** OP(KAT)/214/2019

**Appellant :** A.Bindu

**Respondent :** State of Kerala,

**Judgement :**

O.P.(KAT)Nos.442/18 & 214/19 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS  
& THE HONOURABLE MR. JUSTICE T.R.RAVI TUESDAY, THE 09TH  
DAY OF MARCH 2021 / 18TH PHALGUNA, 1942 OP(KAT).No.442 OF  
2018 AGAINST THE ORDER IN TA 614/2013 DATED 05-12-2017 OF  
KERALA ADMINISTRATIVETRIBUNAL, THIRUVANANTHAPURAM  
PETITIONERS/RESPONDENTS 1 TO 5 IN TA:

1 STATE OF KERALA REPRESENTED BY THE SECRETARY TO THE GOVERNMENT, DEPARTMENT OF REVENUE, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE LAND REVENUE COMMISSIONER, OFFICE OF THE COMMISSIONER OF LAND REVENUE, THIRUVANANTHAPURAM-695 001. 3 THE DISTRICT COLLECTOR, CIVIL STATION, KOLLAM, KERALA-691 001. 4 THE TAHSILDAR, TALUK OFFICE, KUNNATHOOR, SASTHAMKOTTA, KOLLAM, KERALA-690 521. 5 THE ASSISTANT ENGINEER, PWD BUILDING SECTION, SASTHAMKOTTA, KOLLAM, KERALA-690 521. BY SR. GOVERNMENT PLEADER SRI B.VINOD

O.P.(KAT)Nos.442/18 & 214/19 2 RESPONDENT/APPLICANT IN TA: A.BINDU, CASUAL SWEEPER, TALUK OFFICE, KUNNATHOOR, SASTHAMKOTTA, KOLLAM, KERALA. BY ADV. SRI.M.V.THAMBAN THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY HEARD ON 01-02-2021, ALONG WITH OP(KAT).214/2019, THE COURT ON 09-03-2021 DELIVERED THE FOLLOWING: O.P.(KAT)Nos.442/18 & 214/19 3

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS & THE HONOURABLE MR. JUSTICE T.R.RAVI TUESDAY, THE 09TH DAY OF MARCH 2021 / 18TH PHALGUNA, 1942 OP(KAT).No.214 OF 2019 AGAINST THE ORDER IN TA 614/2013 DATED 05-12-2017 OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM PETITIONER/APPLICANT IN TA: A.BINDU AGED 43 YEARS, CASUAL SWEEPER, TALUK OFFICE, KUNNATHUR, SASTHAMKOTTA, KOLLAM, KERALA. BY ADVS. SRI.M.V.THAMBAN SRI.R.REJI SMT.THARA THAMBAN SRI.B.BIPIN SRI.ARUN BOSE RESPONDENTS/RESPONDENTS 1 TO 5 IN TA: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY TO THE GOVERNMENT, DEPARTMENT OF REVENUE, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001. 2 THE LAND REVENUE

COMMISSIONER OFFICE OF THE COMMISSIONER OF LAND REVENUE, THIRUVANANTHAPURAM, PIN-695001. 3 THE DISTRICT COLLECTOR CIVIL STATION, KOLLAM , KERALA, PIN-691001. O.P.(KAT)Nos.442/18 & 214/19 4 4 THE TAHSILDAR TALUK OFFICE, KUNNATHOOR, SASTHAMKOTTA, KOLLAM, KERALA, PIN-690521.

5. THE ASSISTANT ENGINEER PWD BUILDING SECTION, SASTHAMKOTTA, KOLLAM , KERALA, PIN-692521. BY SR.GOV.T.PLEADER SRI B. VINOD THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY HEARD ON 01-02-2021, ALONG WITH OP(KAT).442/2018, THE COURT ON 09-03-2021 DELIVERED THE FOLLOWING: O.P.(KAT)Nos.442/18 & 214/19 5

ALEXANDER THOMAS & T.R. RAVI, JJ.  
----- O.P.(KAT) No.442 of 2018 &  
O.P.(KAT) No.214 of 2019 [Both arising out of order dated 05.12.2017 in  
T.A.No. 614 of 2013 of KAT, Tvm] -----  
Dated this the 9th day of March, 2021

## JUDGMENT

**T.R. RAVI, J.**

The order dated 5.12.2017 of the Kerala Administrative Tribunal, Thiruvananthapuram (hereinafter referred to as Tribunal) in T.A.No.614 of 2013 has been challenged by the State of Kerala and its officers/authorities in O.P.(KAT) No.442 of 2018 and by the applicant in O.P.(KAT)No.214 of 2019. The parties are referred to as per their status in the original application.

2. The issue relates to entitlement of the applicant to be

regularised in service as a Part Time Sweeper. By G.O.(P) No.831/80/Fin. dated 3.11.1980, the Government had sanctioned benefits to part time contingent employees, whereby the remuneration payable to them was revised. The revision

was based on the sweeping O.P.(KAT)Nos.442/18 & 214/19 6 area or the area to be cleaned by such part time contingent employees/sweepers. The rates were specified therein for two different types of cases depending on whether the sweeping area was less than

## **200 M2 or more than 200 M2. Subsequently, by a pay revision order**

G.O.(P) No.3000/98/Fin. dated 25.11.1998 which came into effect on 01.03.1997, certain modifications were ordered. The categorisation was also different as per the 1998 pay revision. Accordingly, Part Time Sweepers who were sweeping an area above 100 M<sup>2</sup> but below 400 M<sup>2</sup> were to be paid at the revised rate of Rs.1,250/- per month plus DA and persons who were sweeping an area above 400 M<sup>2</sup>, but below 800 M<sup>2</sup> were to be paid at the rate of Rs.1,500/- per month plus DA. Enhanced pay was available to persons who were put in service as part time employees for 10 years, 20 years and 25 years. With respect to casual sweepers who were sweeping an area of less than 100 M<sup>2</sup>, the Government issued G.O.(P) No.3002/98/Fin. dated 25.11.1998 ordering that such persons will be paid at the rate of Rs.600/- per month with effect from 01.11.1998.

3. Faced with denial of pay in accordance with the pay revisions and threat of losing their engagement on the ground that they are casual sweepers, several persons approached this Court by way of O.P.(KAT)Nos.442/18 & 214/19 7

writ petitions. In the meanwhile, the Government issued G.O.(P) No.390/03/Fin. dated 17.07.2003, which said that Part Time Sweepers should be engaged only for a period of two months and should be changed every two months. The above order was however withdrawn as per G.O.(P) No.500/2003/Fin. dated 25.9.2003. The Government thereafter issued letter No.28555/T1/ 03/RD dated 06.10.2003 clarifying that the sweeping area is the area excluding staircase, veranda,

courtyard, etc. The order also said that if casual sweepers are appointed for two months and sweeping area is more than 100 M<sup>2</sup> they can be paid at par with part time sweepers and in cases where the area is below 100M<sup>2</sup> such persons are to be paid at the rate of Rs.600/- per month as a consolidated pay. There was also a direction to make appointments through Employment Exchange for the sanctioned post.

4. A learned Single Judge of this Court in the judgment in

Mercy v. State of Kerala reported in [2004 (2) KLT 848] disposed of a batch of writ petitions with certain directions. In the cases before the learned Single Judge, the petitioners were all persons who were engaged prior to 06.10.2003 on which day, the Government had issued clarifications regarding the manner of calculation of sweeping area. It was directed that the sweeping area with regard to persons who were

O.P.(KAT)Nos.442/18 & 214/19 8

engaged prior to 06.10.2003, is to be calculated as the carpet area, veranda, corridor, staircase and the courtyard, usually swept. It was also held that in any case the area shall not exceed 1 times the plinth area. It was further held that since the State had enjoyed the fruits of the labour of such persons, they shall not be terminated from service for the only reason that they have not been appointed through the Employment Exchange. The Court further directed that all the Part Time Sweepers who have approached the Court as well as those who have not approached the Court shall be paid wages including arrears on the basis of the 1997 pay revision order with effect from 01.03.1997.

5. The judgment of the learned Single Judge was carried in

appeal by the State and its Officers. Pending the appeal, the Government issued GO(P)No.361/2005/Fin. dated 02.08.2005, whereby

a scheme was evolved regarding regularisation of the existing eligible casual sweepers and regarding the appointments against future arising vacancies of sweepers in Government offices. A Division Bench

**of this Court disposed of the appeals filed by the State by judgment**

dated 12.08.2005 in State of Kerala & Ors. v. M.M.Mercy & Ors. (W.A.No.1863 of 2004 and connected cases). After referring to the scheme proposed in G.O.(P) No.361/2005/Fin dated 02.08.2005, O.P.(KAT)Nos.442/18 & 214/19 9 the Division Bench noted that in the light of the Scheme framed, the issue remains in a narrow compass regarding the directions contained in paragraph 15 of the judgment of the learned Single Judge in the

**judgment in Mercy v. State of Kerala [2004 (2) KLT 848], relating to the payment of arrears. The Division Bench in paragraph 18 held**

that the sweeping area is a matter to be found on actual measurement at the instance of the respective officers under the supervision of the head of the district of the concerned Department with the aid of an Engineer from the Public Works Department, taking into account of the requirement of the offices concerned. It was further held that in cases where sweeping area is disputed, the same shall be fixed by causing actual measurement with notice to the incumbents concerned in their presence. On the basis of the judgment of the Division Bench, the Government modified the order dated 02.08.2005 and carved out a fresh order GO(P) No.501/2005/Fin. dated 25.11.2005 to govern the cases of regularisation of existing eligible casual sweepers and regarding appointments to future vacancies. Paragraph 8 of the above Government order deals with regularisation of the existing casual sweepers. As per the Government order, the sweeping area has to be calculated in accordance with the guidelines given in the appendix, the

measurement being carried out by the PWD officials after notice to the incumbent casual sweeper and in his presence. Wherever the sweeping area exceeds 100 M<sup>2</sup> and if there is no post of Part Time Sweeper sanctioned for the office in question, but there is a casual sweeper being engaged, steps are to be taken for creation of a post of part time contingent sweeper. The posts are to be created with effect from the date of appointment of the incumbent as casual sweeper or from 18.6.2001 (i.e., three years preceding the date of the judgment of the learned Single Judge in Mercy v. State of Kerala [2004 (2) KLT 848]), whichever is later. Paragraph 11 of the Government order deals with cases where the sweeping area on re-measurement, increases from below 400 M<sup>2</sup> to above 400 M<sup>2</sup>, requiring the payment of higher remuneration. The order provided for a fresh certification of the sweeping area of the existing premises within one year from the date of the order. In paragraph 13 of the order it is provided that in case of new offices and against vacancies arising in future, part time contingent sweepers are to be employed only after getting names from the Employment Exchange. Paragraph 15 of the order says that in cases where the sweeping area is 800 M<sup>2</sup> but below 900 M<sup>2</sup>, a part time contingent sweeper and a part time sweeper can be engaged and that if

O.P.(KAT)Nos.442/18 & 214/19 11 the area is more than 900 M<sup>2</sup>, two part time contingent sweepers can be engaged.

6. The Government thereafter issued G.O.(P)No.61/ 2010/Fin.

dated 09.02.2010 modifying the earlier order dated 25.11.2005. It was ordered that all existing sweepers other than casual sweepers, irrespective of the mode of appointment, shall also be entitled for regularisation based on the sweeping area, provided that their appointments were made on before the issuance of the Government

**order dated 25.11.2005. It further provided that the Government are at**

liberty to conduct re-assessment of the sweeping area in any office, wherever necessary by the Chief Technical Examiner who is the competent Technical Authority of the Finance Department, however, with notice to the incumbent and others concerned. There is also a direction that wherever sweepers are engaged against existing sanctioned posts, they shall also be entitled to regularisation, provided the date of appointment was on or before 25.11.2005. Regarding clause 11 of the Government order dated 25.11.2005, it has been clarified in the order dated 09.02.2010 that the benefit of clause 11 referred above will be available to all sweepers including sweepers engaged in offices where sweeping area is less than 100 M<sup>2</sup>, but are in receipt of higher pay

O.P.(KAT)Nos.442/18 & 214/19 12 as applicable to regular part time sweepers by virtue of court orders or otherwise.

7. On 05.03.2016, the Additional Chief Secretary of Finance

Department issued a Circular to the effect that no proposals for regularisation of Part Time Sweepers will be considered after the date of the Circular. This was followed by the Government order G.O. (P)No.58/2018/Fin. dated 10.04.2018, whereby it was ordered that wherever Part Time Sweepers are being regularised, it will have effect only from the date of the order, that is, 10.4.2018.

8. The applicant was initially engaged as a casual sweeper at

the Revenue Inspector's office at Kunnathur on a consolidated monthly remuneration of Rs.100/- with effect from 1997, which was increased to Rs.600/- per month on the implementation of the 1997 pay revision order. During 1998, the office of the Revenue Inspector was abolished

and the applicant was engaged at the Taluk Office, Kunnathur at Sasthamkotta, as the 2nd Part time sweeper. Though the sweeping area of the office was more than 800 M<sup>2</sup>, the applicant was being paid only the fixed remuneration of Rs.600/- per month. The applicant had approached this Court by filing O.P.No.5539 of 2003, which was disposed of by Ext.P1 judgment dated 05.03.2003, declaring that the

O.P.(KAT)Nos.442/18 & 214/19 13

applicant was entitled to get salary in the scale of pay applicable to regular part time sweepers and consequential directions were also issued. The applicant was thereafter paid the arrears during 2003 and was being paid at the rate of Rs.1,250/- plus DA per month. After the implementation of the 2004 pay revision with effect from 01.07.2004, the applicant was paid salary at the revised rate of Rs.2500/- plus DA per month. However, when pay revision was implemented in 2009, she was continued to be paid the salary at the earlier rates and the revised pay was not disbursed. While so, the Government order, G.O.

(P) No.501/2005/Fin dated 25.11.2005 had been issued, as per which

the applicant was entitled to be regularised in service as part time sweeper, along with one Gracy Kutty, who was also working as part time sweeper in the same office, particularly since the sweeping area was more than 800 M<sup>2</sup>. Even though there was a re-measurement of

### **the sweeping area in the light of the directions issued in the judgment**

in Mercy (supra) [2004 (2) KLT 848], according to the applicant the remeasurement was not done in accordance with the guidelines issued for the purpose, in the sense that the record room was omitted to be measured and the courtyard was not measured as 1/3 rd of the total carpet area. Meanwhile, the Government issued G.O.(P)No.61/2010/

Fin. Dated 09.02.2010, whereby the existing sweepers were entitled to regularisation as well as pay protection. The applicant had not been afforded the pay protection as well. The applicant thereupon approached this Court by filing W.P.(C) No.25832 of 2011 seeking the benefit of regularisation as well as pay protection, for which she was entitled.

9. The respondents filed counter affidavit contending that

since the sweeping area of the office was between 800 M<sup>2</sup> and 900 M<sup>2</sup>, two part time sweepers cannot be accommodated. It is stated that proposal had been sent to treat the case of the applicant as a special case. The writ petition was thereafter transferred to the Tribunal and renumbered as T.A.No.614 of 2013. The Tribunal by order dated 05.12.2017 disposed of the application directing the respondents to sanction the scale of pay applicable to the part time sweepers to the applicant and disburse the amounts that will be consequentially due to the applicant. There is a further direction to sanction a post of regular part time sweeper and to regularise one among the two casual sweepers who are working, as per the stipulations contained in paragraph 15 of GO(P)No.501/2005/Fin. Dated 25.11.2005, with due regard to the relative seniority as between the applicant and Smt.Gracy Kutty. The 1<sup>st</sup>

respondent was directed to decide on who is the better claimant. Aggrieved by the directions issued by the Tribunal, the State has filed O.P.(KAT)NO. 442 of 2018. Aggrieved by the order of the Tribunal to the extent that it does not direct the regularisation of the applicant, the applicant has filed O.P.(KAT)No. 214 of 2019.

10. Heard Sri B.Vinod, learned Senior Government Pleader on

behalf of the petitioners in O.P.(KAT)No.442/2018 and the respondents in O.P.(KAT)No. 214 of 2019 and Sri M.V.Thamban, learned counsel for the petitioner in O.P.(KAT)No. 214 of 2019 and the respondent in O.P.(KAT)No.442/2018.

11. The Senior Government Pleader reiterated the contentions

that were advanced before the Tribunal. Sri M.V.Thamban, learned counsel appearing for the applicant before the Tribunal contends that the direction regarding regularisation issued by the Tribunal is not fully correct. The counsel refers to paragraph 15 of Ext.P2 Government order, which has been relied upon by the Tribunal in its order and argues that the said clause does not apply to the case of existing sweepers and that the same will apply only in the cases of new offices. It will be useful to extract paragraphs 14 and 15 of Ext.P2 Government order, GO(P)No.501/2005/Fin. dated 25.11.2005.

O.P.(KAT)Nos.442/18 & 214/19 16 14. Creation of the post of Part-time contingent sweeper in newly formed offices shall be done strictly on the basis of the new

**guidelines in the Appendix. As it will not be possible to assess in**

advance the sweeping area in respect of newly formed offices, such posts shall be created only after assessing the sweeping area. Sweeping area shall be determined in accordance with the new guidelines. If the sweeping area is below 100 sq.mtr. a casual sweeper (on a monthly pay of Rs.600) can be engaged by the Head

**of Office without creating a post. Even if the Government order**

sanctioning posts in the new office permits engaging a part-time contingent sweeper, only a casual sweeper will be engaged if the sweeping area is less than 100 sq.mtrs. If the sweeping area is 100 sq.mtrs., or above but below 800 sq.mtrs., the matter will be taken up

immediately with the Government (in the proforma given in the Annexure along with the certificate issued by the PWD Engineer) for the creation of the post of part-time contingent sweeper. After the post is created, a part-time contingent sweeper will be engaged, but only through Employment Exchange. This should be done within two months. He/she should be paid wages as per the sweeping area (Rs.1250 plus DA for sweeping area of 100-400 sq.mtrs. and Rs.1500 plus DA for a sweeping area of 400-800 sq.mtrs).

15. If the sweeping area is above 800 sq.mtrs. but below 900

sq.mtrs. a part-time contingent sweeper and a casual sweeper will be engaged. If it is above 900 sq.mtrs., 2 part-time contingent sweepers can be engaged. The same logic will apply if the area exceeds 1600 sq.mtrs., etc. For this also the matter is to be taken up with the Government in the proforma given in Appendix with the certificate from the concerned Engineer of the Public Works Department. The concerned Department will issue orders to create the posts in consultation with the Finance Department. Till the candidate sponsored by the Employment Exchange reports for duty, the agreement with the Kudumbasree may continue. On no account shall casual sweepers be engaged in such cases.

12. We find considerable force in the argument advanced by Sri

**M.V.Thampan. A reading of the above extracted portion of the order**

clearly shows that the said stipulations are relating to the creation of post of part time contingent sweepers in newly formed offices and do not apply to the case of existing offices, where casual sweepers are already working for the past several years. The reliance placed by the O.P.(KAT)Nos.442/18 & 214/19 17

Tribunal on paragraph 15 to limit the right of regularisation to only one of the casual sweepers who is working is not justified in the circumstances.

The Tribunal ought to have gone by the stipulations contained in paragraph 8 of Ext.P2 Government order and directed regularisation of the applicant. In the light of our findings regarding the applicability of paragraph 15 of Ext.P2 government order dated 25.11.2005, we do not think it necessary to go into the question regarding the correctness of the measurement of the sweeping area raised by Sri M.V.Thampan, counsel for the applicant.

13. In the result, O.P.(KAT)No. 442 of 2018 stands dismissed. O.P.(KAT) No. 214 of 2019 is allowed and the direction contained in the

**order of the Tribunal regarding regularisation is modified as below.**

14. The respondents are directed to regularise the applicant as

a part time sweeper in the Taluk Office, Kunnathur with effect from 18.06.2001 by creating the required posts, as stipulated in paragraph 8 of Ext.P2 Government order G.O.(P)No.501/ 2005/Fin dated 25.11.2005. The directions issued by the Tribunal regarding the right of the applicant to receive the revised pay is not interfered with and will remain. The above directions and the directions issued by the Tribunal regarding the payment of arrears of pay consequent to revision, if not

O.P.(KAT)Nos.442/18 & 214/19 18 already complied with, will be complied with, within a period of 2 months from the date of receipt of the certified copy of this judgment. The order of the Tribunal stands modified to the above extent. In the circumstances of the case, there will be no order as to costs. Sd/- ALEXANDER THOMAS, JUDGE Sd/- T.R. RAVI, JUDGE dsn O.P.(KAT)Nos.442/18 & 214/19  
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APPENDIX IN OPKAT 442/2018 PETITIONER'S EXHIBITS:  
ANNEXURE A1: TRUE COPY OF WPC No.25832/2011 WITH  
EXHIBITS EXHIBIT P1 TRUE COPY OF THE JUDGMENT DATED

05.03.2003 IN O.P.NO.5539/2003(H). EXHIBIT P2 TRUE COPY OF THE G.O.(P)NO.501/2005/FIN DATED 25.11.2005. EXHIBIT P3 TRUE COPY OF THE SWEEPING AREA CERTIFICATE DATED 19.01.2011. EXHIBIT P3A TRUE COPY OF THE LETTER NO.318/2006 DATED 31.01.2011 OF THE 4TH RESPONDENT. EXHIBIT P4 TRUE COPY OF THE G.O.(P)NO.61/2010/FIN DATED 09.02.2010. EXHIBIT P5 TRUE COPY OF THE INTERIM ORDER DATED 05.01.2010 IN WP(C)NO.107/2010(K). EXHIBIT P6 TRUE COPY OF THE ORDER DATED 23.12.2010 IN WPC NO.38378/2010(V). EXHIBIT P7 TRUE COPY OF THE INTERIM ORDER DATED 23.12.2009 IN WPC NO.37537/2009(J). ANNEXURE A2: TRUE COPY OF COUNTER AFFIDAVIT FILED ON BEHALF OF THE 4TH AND 5TH RESPONDENTS. EXHIBIT R4(A): TRUE COPY OF GOVERNMENT LETTER No.39832/AF3/05/AD DT.20.7.2007. ANNEXURE A3: TRUE COPY OF ORDER DT.5.12.2017 IN T.A.614/2013.

O.P.(KAT)Nos.442/18 & 214/19 20

APPENDIX IN OPKAT 214/2019 PETITIONER'S EXHIBITS: ANNEXURE I: TRUE COPY OF MEMORANDUM OF TA No.614/2013 (ARISING FROM WPC.25832/2011) EXHIBIT P1 TRUE COPY OF THE JUDGMENT DATED 05.03.2003 IN O.P.NO.5539/2003(H). EXHIBIT P2 TRUE COPY OF THE G.O.(P)NO.501/2005/FIN DATED 25.11.2005. EXHIBIT P3 TRUE COPY OF THE SWEEPING AREA CERTIFICATE DATED 19.01.2011. EXHIBIT P3(A) TRUE COPY OF THE LETTER NO.318/2006 DATED 31.01.2011 OF THE 4TH RESPONDENT. EXHIBIT P4 TRUE COPY OF THE G.O.(P)NO.61/2010/FIN DATED 09.02.2010. EXHIBIT P5 TRUE COPY OF THE INTERIM ORDER DATED 05.01.2010 IN WP(C)NO.107/2010(K). EXHIBIT P6 TRUE COPY OF THE ORDER DATED 23.12.2010 IN WPC NO.38378/2010(V). EXHIBIT P7 TRUE COPY OF THE INTERIM ORDER DATED 23.12.2009 IN WPC NO.37537/2009(J). ANNEXURE A2: TRUE COPY OF COUNTER AFFIDAVIT FILED ON BEHALF OF

THE RESPONDENTS 4 & 5. ANNEXURE A3: TRUE COPY OF ORDER DT.5.12.2017 IN T.A.614/2013. ANNEXURE A4: TRUE COPY OF ORDER OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM IN T.A.NO.4647/2012 (WPC.No.20496/2009 OF THE HON'BLE HIGH COURT OF KERALA).

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