

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present:

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

Thursday, the 4th day of March 2021/13th Phalguna, 1942

WP(C) No.5487/2021(I)

PETITIONERS

1.VISHNU S,AGED 32 YEARS,S/O. SURENDRAN, LAVANYA HOUSE,
NELLIMUKKAL P.O., ADOOR, PATHANAMTHITTA-691 551

2.MUFEED SHAH.P.P.,S/O. MUHAMMED P.P, ANUGRAHAM MADATHIL
HOUSE, VAZHAYOOR KARADU PARAMBU, MALAPPURAM-673 632

3.JYOTHI LAKSHMI.S.,D/O. SANKARA NARAYANAN NAIR,
CHAKKALAKKAL, ANTHINAD HOUSE, PALA, KOTTAYAM-686 651

4.PRAVEEN.K,AGED 26 YEARS,S/O. SURENDRAN, KUNNAMKULATH
HOUSE, CHAKKALATHU, NILAMBUR P.O., MALAPPURAM-679 329

5.ABDUL VAHID.M.,S/O. NOORUDHEEN, MEKKATAYIL POYILU THODI,
CHELAMBRA, MALAPPURAM-673 634

6.JASSAR.P.V.,S/O. RAYINKUTTY, ALUMKUZHIYIL HOUSE, PUTHOOR
PALLIKKAL P.O., MALAPPURAM-673638

RESPONDENTS

1.THE STATE OF KERALA,REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001

2.THE SECRETARY TO THE GOVERNMENT,DEPARTMENT OF
INFORMATION AND TECHNOLOGY, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001

3.THE SECRETARY TO THE GOVERNMENT,DEPARTMENT OF LOCAL
SELF DEVELOPMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001

4.THE SECRETARY TO THE GOVERNMENT,DEPARTMENT OF
INDUSTRIES, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001

5.THE SECRETARY TO THE GOVERNMENT,DEPARTMENT OF SOCIAL
JUSTICE, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001

6.THE SECRETARY TO GOVERNMENT,DEPARTMENT OF AGRICULTURE,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001

7.THE SECRETARY TO THE GOVERNMENT,DEPARTMENT OF GENERAL
EDUCATION, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-
695 001

8.THE SECRETARY TO THE GOVERNMENT,THE DEPARTMENT OF
WOMEN AND CHILD WELFARE, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001

9.THE SECRETARY TO THE GOVERNMENT,THE DEPARTMENT OF
PLANNING AND FINANCIAL AFFAIRS, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001

10.THE CENTRE FOR DEVELOPMENT OF IMAGING TECHNOLOGY
(C-DIT),CHITHRANGALI HILLS, THIRUVALLAM P.O.,
THIRUVANANTHAPURAM-695 001, REPRESENTED BY ITS MANAGING
DIRECTOR.

11.KERALA INSTITUTE OF LABOUR AND EMPLOYMENT (KILE),4THF
LOOR, THOZHIL BHAVAN, VIKAS BHAVAN.P.O.,
THIRUVANANTHAPURAM -695 033, E-MAIL.KILETVM@GMAIL.COM
REPRESENTED BY ITS MANAGING DIRECTOR

12.THE FOREST INDUSTRIES (TRAVANCORE)LIMITED ,(FIT)
CHOORNIKKARA, ALUVA, ERNAKULAM DISTRICT-683 501,
REPRESENTED BY ITS MANAGING DIRECTOR

13.THE KERALA BUREAU OF INDUSTRIAL PROMOTION ,(K-BIP) NO.2,
VIDHYA NAGAR P.O., OPP.POLICE GROUND, THYCAUD,
THIRUVANANTHAPURAM-695 014, REPRESENTED BY ITS MANAGING
DIRECTOR

14. KERALA STATE ELECTRONIC DEVELOPMENT CORPORATION
LIMITED (KELTRON),KELTRON HOUSE, VELLAYAMBALAM,
THIRUVANANTHAPURAM-695 033, REPRESENTED BY ITS MANAGING
DIRECTOR

15.THE NATIONAL COIR RESEARCH AND MANAGEMENT INSTITUTE
(NCRMI),KUDAPPANAKUNNU, THIRUVANANTHAPURAM-695 043,
REPRESENTED BY ITS MANAGING DIRECTOR.

16.THE STATE COUNCIL FOR OPEN AND LIGE LONG EDUCATION (S20202020COL KERALA),VIDYA BHAVAN, POOJAPPURA, THIRUVANANTHAPURAM-695 012 REPRESENTED BY ITS MANAGING DIRECTOR

17. THE KERALA STATE HORTICULTURE PRODUCTS DEVELOPMENT CORPORATION ,(HORTICORP),NEAR DOORDARSAN KENDRA, KAKKANAD, ERNAKULAM DISTRICT-682 030, REPRESENTED BY ITS MANAGING DIRECTOR

18.THE KERALA STATE WOMEN'S COMMISSION,PMG ,PATTOM, P.O. PALAYAM, THIRUVANANTHAPURAM-695 004, REPRESENTED BY ITS SECRETARY

19.THE KERALA STATE REMOTE SENSING AND ENVIRONMENTAL CENTRE(KSREC),1ST FLOOR, VIKAS BHAVAN, NEAR LEGISLATIVE ASSEMBLY, UNIVERSITY OF KERALA SENATE HOUSE CAMPUS, PMG , THIRUVANANTHAURAM-695 033, REPRESENTED BY ITS DIRECTOR
20.LBS CENTRE FOR SCIENCE AND TECHNOLOGY,NANDAVANAM, PALAYAM, THIRUVANANTHAPURAM-695 033, REPRESENTED BY THE DIRECTOR

21.THE KERALA PUBLIC SERVICE COMMISSION,PATTOM, THIRUVANANTHAPURAM-695 003,REPRESENTED BY ITS SECRETARY

22.SHINY.D.S.,PROGRAMMER, CENTRE FOR DEVELOPMENT OF IMAGING TECHNOLOGY (C-DIT), CHITHRANJALI HILLS, THIRUVALLAM P.O., THIRUVANANTHAPURAM-695 001

23.BINDU.V.K.,ASSISTANT GRADE, KERALA INSTITUTE OF LABOUR AND EMPLOYMENT (KILE), 4TH FLOOR, THOZHIL BHAVAN, VIKAS BHAVAN P.O., THIRUVANANTHAPURAM-695 033

24.PRABHA DEVI.M.S.,GENERAL HELPER (UNSKILLED),FOREST INDUSTRIES (TRAVANCORE) LIMITED (FIT), CHOORNIKKARA, ALUVA, ERNAKULAM DISTRICT-683 501

25.RAVEENDRAN C.,OFFICE ATTENDANT., THE KERALA BUREAU OF INDUSTRIAL POMOTION (K-BIP) NO.2, VIDHYA NAGAR P.O., OPP POLICE GROUND, THYCAUD, THIRUVANANTHAPURAM-695 014

26.SHEEBA MADHU,WORKING IN KERALA STATE ELECTRONIC DEVELOPMENT CORPORATION LIMITED (KELTRON), KELTRON HOUSE,

VELLAYAMBALAM, THIRUVANANTHAPURAM-695 033

27.PRASANTH.V.,PEON, NATIONAL COIR RESEARCH AND
MANAGEMENT INSTITUTE (NCRMI) KUDAPPANAKUNNU,
THIRUVANANTHAPURAM-695 043

28.GREESHMA.R.,RESIDING AT GAYATHRI, CHAVARA BRIDGE P.O.,
C2020HAVARA, KOLLAM-691 583

29.K.S.SAJAYAKUMAR,DRIVER, HORTICORP, NEAR DOORDARSAN
KENDRA, KAKKANAD, ERNAKULAM DISTRICT-682 030

30 SREEJITH.V.,DRIVER,KERALA STATE WOMEN'S COMMISSION, PMG,
PATTOM, P.O.PALAYAM, THIRUVANANTHAPURAM-695 004

31.BINU.G.K.,OFFICE ASSISTANT, KERALA STATE REMOTE SENSING
AND ENVIRONMENTAL CENTRE (KSREC), 1ST FLOOR, VIKAS BHAVAN,
NEAR LEGISLATIVE ASSEMBLY., UNIVERSITY OF KERALA SENATE
HOUSE CAMPUS, PMG, THIRUVANANTHAPURAM-695 033

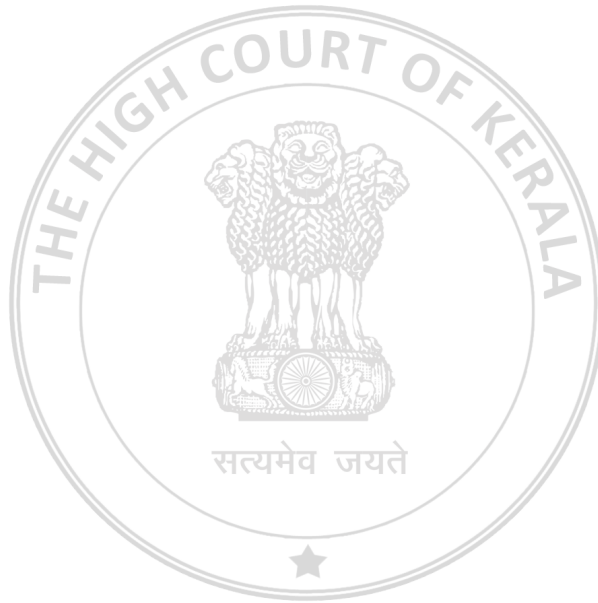
Writ Petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to

- i) stay the operation of Exhibit P5 to P15 orders, pending disposal of the Writ Petition.
- ii)pass an order directing the temporary/contract employees' regularised through Exhibit P5 to P15 will continue on temporary/daily wage basis, pending disposal of the Writ Petition.
- iii) pass an order directing respondents 1 to 19 to make all temporary appointments by making appointments from the rank list prepared by the 20th respondent based on the qualification and eligibility ignoring Exhibit P5 to P15 orders pending disposal of the Writ Petition.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of SRI.GEORGE POONTHOTTAM Senior Advocate along with M/S NISHA GEORGE, A.L.NAVANEETH KRISHNAN, Advocates for the petitioners, SRI.K.V.SOHAN, STATE ATTORNEY for R1 to R9(B/o),SRI.S.RAMESH, Advocate for R10(B/o), SMT.M.A.ZOHRA, Advocate for R14(B/o), SRI.P.C.SASIDHARAN STANDING COUNSEL for R16, R21 (B/o), SRI.ASHWIN SETHUMADHAVAN, Advocate for R17(B/o),, SMT.PARVATHY MENON, Advocate for R18(B/o), SRI.VISHNU

S.CHEMPAZHANTHIYIL, Advocate for R19(B/o) and of SMT.SHAMEENA SALAHUDHEEN, STANDING COUNSEL for R20(B/o), the court passed the following

For information purpose only



DEVAN RAMACHANDRAN, J.

WP(C) No.5487 of 2021

Dated this the 4th day of March 2021

ORDER
For information purpose only

I have heard Sri. George Poonthottam, the learned Senior Counsel, instructed by Sri. Arun Chandran, the learned Counsel appearing for the petitioners and am of the view that a *prima facie* case has been made out warranting admission of this writ petition. It is so ordered.

2. The learned State Attorney, Sri. K.V.Sohan, takes notice on behalf of respondent Nos. 1 to 9; Sri. S. Ramesh takes notice for the 10th respondent; Smt. M.A. Zohra takes notice for the 14th respondent; the learned Standing Counsel, Sri. P.C. Sasidharan, takes notice for respondent Nos.16 and 21, Sri.Ashwin Sethumadhavan takes notice for the 17th respondent; Smt. A. Parvathy Menon takes notice for the 18th respondent, Sri. Vishnu .S. Chempazhanthiyil takes notice for the 19th respondent; and Smt. Shameena Salahudheen takes notice for the 20th respondent.

The petitioners will take out notice by speed post, returnable within 10 days to rest of the respondents.

The learned State Attorney and the learned Standing Counsel seek time to obtain instructions in this matter and to file counter pleadings.

I, therefore, adjourn this case to 12.03.2021, until which time, all action pursuant to Exts.P5 to P15 will stand deferred and status quo as on today will be maintained by respondents 1 to 21.

Sd/-

DEVAN RAMACHANDRAN, JUDGE

SAS/04/03/2021

H/O

/true copy/

Sd/-

ASSISTANT REGISTRAR

For information purpose only

EXHIBIT P5 - TRUE COPY OF THE GO(MS) NO.5/2021/IT DATED 04.02.2021

EXHIBIT P6 - TRUE COPY OF THE RELEVANT PORTION OF THE MINUTES OF THE MEETING HELD ON 02.12.2015

EXHIBIT P7 - TRUE COPY OF THE GO (MS) NO.201/2020/LSGD DATED 24.12.2020

EXHIBIT P8 - TRUE COPY OF THE GO (MS) NO. 06/2021/INDUSTRIES DATED 07.01.2021

EXHIBIT P9 - TRUE COPY OF THE G.O(MS) NO.93/2020/INDUSTRIES DATED 23.10.2020

EXHIBIT P10 - TRUE COPY OF THE G.O(MS) NO.4/2021/ID DATED 03.01.2021

EXHIBIT P11 - TRUE COPY OF THE G.O(MS) NO. 36/2021/INDUSTRIES DATED 11.02.2021

EXHIBIT P12 - TRUE COPY OF THE G.O(MS) NO. 81/2021/GEDN DATED 17.02.2021

EXHIBIT P13 - TRUE COPY OF THE G.O(MS) NO.27/2021/AGRI DATED 15.02.2021

EXHIBIT P14 - TRUE COPY OF THE G.O(MS) NO.8/2021/SJD DATED 18.02.2021

EXHIBIT P15 - TRUE COPY OF THE G.O(MS) NO.5/2021/PLANNING DATED 13.02.2021