

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR.JUSTICE B.P.RAY

THURSDAY, THE 15TH DAY OF MARCH 2012/25TH PHALGUNA 1933

WP(C) .No. 3100 of 2012 (J)

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PETITIONER(S) :

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1. SANTHOSH KUMAR K., AGED 38 YEARS  
AGED 38 YEARS, S/O.SEKHARAN.K, EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
MALAPPURAM DEPOT.
2. A.GOVINDAN,  
AGED 46 YEARS, S/O.CHATHAN.A, EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
MALAPPURAM DEPOT.
3. A.SUKUMARAN,  
AGED 42 YEARS, S/O.KEERAN APPADA  
EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
MALAPPURAM DEPOT.
4. M.V.NARAYANAN KUTTY,  
AGED 38 YEARS, S/O.VELAYUDHAN, EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
NILAMBUR DEPOT.
5. ABDU NNASIR.T,  
AGED 49 YEARS, S/O.VEERANKUTTY, EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
PERINTHALMANNA DEPOT.
6. NANDANAN.T,  
AGED 43 YEARS, S/O.KUMARAN.T, EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
PERINTHALMANNA DEPOT.

7. MOHAMMED SALEEM.M.P,  
AGED 45 YEARS,S/O.AHAMMED,EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
PERINTHALMANNA DEPOT.
8. ALIAS.K.KAKKOOR,  
AGED 43 YEARS,S/O.K.C.ABRAHAM,EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
PIRAVOMDEPOT.
9. ANIL KUMAR.P.N,  
AGED 39 YEARS,S/O.NARAYANKUTTY,EMPLOYED AS  
CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
PIRAVOM DEPOT.
10. P.K.SAJEEVAN,  
AGED 34 YEARS,S/O.A.KRISHNANKUTTY  
EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
PIRAVOM DEPOT.
11. BIJU.P.THOMAS,  
AGED 40 YEARS,S/O.P.M.THOMAS,EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
PIRAVOM DEPOT.
12. SURESH.K..K,  
AGED 42 YEARS,S/O.KESAVAN,EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
ERATTUPETTA DEPOT.
13. T.K.ABDUL DINAF,  
AGD 35 YEARS,S/O.T.M.KABEER RAWTHER  
EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
ERATTUPETTA DEPOT.
14. K.M.SAKEER HUSSAIN,  
AGED 37 YEARS,S/O.K.M.MUHAMMED,EMPLOYED AS  
CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
ERATTUPETTA DEPOT.

15. PRADEEP KUMAR.P,  
AGED 33 YEAS,S/O.PRASAD.N.K,EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
PONKUNNAM DEPOT.
16. K.B.RAJEEV,  
AGED41 YEARS,S/O.BHASKARAN NAIR  
EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
PONKUNNAM DEPOT.
17. K.R.BAIJU,  
AGED 38 YEARS,S/O.K.K.RAMAKRISHNAN  
EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
ERUMELI DEPOT.
18. R.BHADLAN,  
AGED 44 YEARS,S/O.RAJAPPAN,EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
VAIKOM DEPOT.
19. RAJESH.R.NAIR,  
AGED 32 YEARS,S/O.RAJASEKHARAN NAIR  
EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
KOTTAYAM DEPOT.
20. JOSE JACOB,  
AGED 43 YEARS,S/O.K.O.JACOB,EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
KOTTAYAM DEPOT.
21. V.P.GOPI,  
AGED 49 YEARS,S/O.VELAYUDHAN,EMPLOYED AS CONDUCTOR  
KERALA STATE ROAD TRANSPORT CORPORATION  
MUVATTUPUZHA DEPOT.

BY ADVS.SRI.B.S.SWATHY KUMAR  
SMT.P.V.SOBHANA  
SMT.M.G.AISHWARYA

RESPONDENT (S) :

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1. STATE OF KERALA  
REPRESENTED BY ITS SECRETARY, TRANSPORT (A) DEPARTMENT  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.
2. KERALA STATE ROAD TRANSPORT CORPORATION,  
TRANSPORT BHAVAN, EAST FORT  
THIRUVANANTHAPURAM-695003. REPRESENTED BY ITS  
MANAGING DIRECTOR.

BY GOVERNMENT PLEADER, P.V.ELIAS  
BY SRI.BABU JOSEPH KURUVATHAZHA, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY  
HEARD ON 15-03-2012, THE COURT ON THE SAME DAY  
DELIVERED THE FOLLOWING:

su/-

**APPENDIX**

**PETITIONER(S) EXHIBITS**

EXT.P1 TRUE COPY OF THE ORDER G.O. (MS) NO.78/2011/TRAN  
DATED 22/12/11

EXT.P2 TRUE COPY OF THE ORDER NO.PL.12/025739/2008 DATED  
26-12-2011.

EXT.P3 TRUE COPY OF THE COMMUNICATION NO.PL-01/2000/CZ/EKM  
DATED 18/10/2000.

**RESPONDENTS' EXHIBITS:** NIL.

/TRUE COPY/

P.A TO JUDGE

SU/-

**B.P.RAY, J.**

**W.P.C.No. 3100 of 2012**

**Dated this the 15 th day of March, 2012.**

**J U D G M E N T**

The petitioners are presently working as empanelled conductors in the 2nd respondent corporation. In the year 2000, they were appointed as conductors through employment exchange. Though they were initially appointed on provisional basis, they were absorbed as empanelled conductors in the year 2005. The petitioners have completed almost 11 years and four months as on 21/12/2011 and are legally entitled to be regularized as per Ext.P1. According to the petitioners, the refusal to do so relying on a mere proposal submitted by the 2<sup>nd</sup> respondent before the 1<sup>st</sup> respondent is highly illegal.

2. The learned standing counsel for KSRTC submits that the corporation has taken decision to regularize the persons who have completed 10 years of service as per Ext.P1 order and therefore, the claims of the petitioners

shall be examined by the 2<sup>nd</sup> respondent corporation and necessary orders will be passed within two months from the date of receipt of a copy of this judgment.

3. It is found right that the petitioners have already completed 10 years of service in the KSRTC and therefore, their claim for regularization is allowed. Accordingly, I direct the 2<sup>nd</sup> respondent to consider the case of the petitioners individually and pass appropriate orders within two months from the date of receipt of a copy of this judgment.

This writ petition is closed as above.

**B.P.RAY, JUDGE**

**su/-**