

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 5TH MARCH 2009 / 14TH PHALGUNA 1930

WP(C).No. 7066 of 2009(C)

PETITIONER(S):

1. K.C.ASOKAN, ROLLER CLEANER, PWD ROADS SECTION, VADAKKANCHERRY, KUMARANELLOOR P.O., THRISSUR DISTRICT.
2. N.T.SURENDRAN, ROLLER CLEANER, PWD ROADS SECTION, VADAKKANCHERRY, PUZHAKKAL, CHEMBUKKAU, THRISSUR DISTRICT.

BY ADV. SRI.K.V.KUMARAN
SMT.A.T.UMA

RESPONDENT(S):

1. SENIOR ADMINISTRATIVE OFFICER, PWD ADMINISTRATION, THIRUVANANTHAPURAM.
2. SECRETARY TO GOVERNMENT, PUBLIC WORKS(B) DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT.ANU SIVARAMAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/03/2009, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

T.R.RAMACHANDRAN NAIR, J

W.P.(C) No. 7066 of 2009

Dated this the 5th day of March, 2009

JUDGMENT

Petitioners herein are working as Roller Cleaners in the Department of PWD. The next higher post they could aspire for their promotion is Roller Driver Grade II. The petitioners are continuing in the lower post for a long time without any chance for promotion. According to the petitioner they have passed the proficiency test way back in the year 2003 but still they are denied their due promotion.

2. Government by Ext.P5 order dated 4.11.2003 directed restructuring of the various categories in the department whereby the number of posts of Roller Drivers identified as surplus is 130 and that of Roller Cleaners 110. Accordingly, 80 and 60 posts were abolished respectively. It is submitted that the said reduction is without considering the adverse effect on persons like the petitioners who have no other chance for getting promotion in the department. Seeking for appropriate reliefs in the matter, they have filed Ext.P6 and P7 representations before the Government.

3. The Government will have to consider the question in the light of the requirement of posts and the fact that after Ext.P5 order was passed four years have elapsed already. Since the matter is pending before the Government by way of Ext.P6 and P7 representations, there will be a direction to the second respondent to consider Ext.P6 and P7 and pass orders thereon after hearing the petitioners also within a period of two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

**T.R.RAMACHANDRAN NAIR,
JUDGE**

bps