

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE SMT. JUSTICE P.V.ASHA**

**WEDNESDAY, THE 7TH DAY OF JUNE 2017/17TH JYAISHTA, 1939**

**WP(C).No. 23705 of 2015 (K)**  
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**PETITIONER(S) :**  
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**SREEJA MOL T.S, AGED 33 YEARS,  
W/O.RAJEEV M.R., MANAGAPPALLI MALIYIL,  
MOOLASSERY P.O., KOTTAYAM, PIN 686 042.**

**BY ADV. SRI.U.BALAGANGADHARAN**

**RESPONDENT(S) :**  
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- 1. THE VILLAGE OFFICER,  
MANARCADU VILLAGE, KOTTAYAM-686 019.**
- 2. THE DISTRICT COLLECTOR,  
KOTTAYAM-686 001.**
- 3. THE SECRETARY TO GOVERNMENT,  
REVENUE(D) DEPARTMENT, THIRUVANANTHAPURAM-695 001.**
- 4. THE DIRECTOR,  
VIGILANCE AND ANTI CORRUPTION BUREAU,  
THIRUVANANTHAPURAM-695 001.**
- 5. THE INSPECTOR OF POLICE,  
VIGILANCE AND ANTI CORRUPTION BUREAU,  
THIRUVANANTHAPURAM-695 001.**

**BY GOVERNMENT PLEADER SMT. MARY BEENA JOSEPH**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 07-06-2017, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:**

Msd.

**APPENDIX**

**PETITIONER(S)' EXHIBITS :**

- EXHIBIT-P1: A TRUE COPY OF REPORT OF FIRST RESPONDENT  
DATED 11.03.2010.**
- EXHIBIT-P2: A TRUE COPY OF PROCEEDINGS ELECTORAL REGISTRATION  
OFFICER, PUTHPPALLY DATED 08.04.2011.**
- EXHIBIT-P3: A TRUE COPY OF LETTER OF DEPUTY COLLECTOR, GENERAL  
COLLECTORATE, KOTTAYAM DATED 09.01.2014.**
- EXHIBIT-P4: A TRUE COPY OF SURPRISE INSPECTION REPORT OF VACB  
KOTTAYAM UNIT DATED 27.01.2014.**
- EXHIBIT-P5: A TRUE COPY OF LETTER OF THIRD RESPONDENT  
DATED 16.06.2014 TO 2ND RESPONDENT.**
- EXHIBIT-P6: A TRUE COPY OF LETTER OF FIRST RESPONDENT  
DATED 28.06.2014.**
- EXHIBIT-P7: A TRUE COPY OF REPRESENTATION OF THE PETITIONER  
DATED 30.06.2014.**
- EXHIBIT-P8: A TRUE COPY OF REPORT OF DEPUTY COLLECTOR, VIGILANCE  
OFFICE OF SOUTHERN REGION, VIGILANCE DEPUTY COLLECTOR,  
DATED 24.10.2014.**
- EXHIBIT-P9: A TRUE COPY OF THE REPRESENTATION DATED 21.02.2017  
SUBMITTED BY THE PETITIONER BEFORE THE SECOND  
RESPONDENT.**
- EXHIBIT-P10: A TRUE COPY OF THE REPRESENTATION DATED 31.05.2017  
SUBMITTED BY THE PETITIONER BEFORE THE THIRD  
RESPONDENT.**

**RESPONDENT(S)' EXHIBITS :**

**NIL**

**//TRUE COPY//**

**P.S.TO JUDGE.**

Msd.

**P.V.ASHA, J.**

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W.P(C) No.23705 of 2015-K  
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Dated this the 7<sup>th</sup> day of June, 2017

**JUDGMENT**

The petitioner, who was working as a casual sweeper in the Village Office, Manarcadu, has filed this writ petition aggrieved by the termination of her services on the ground of a vigilance report that she was collecting bribe. Relying on the evidence adduced by the Vigilance Officials, the petitioner points out that termination is illegal and that she has not committed any such offences and she was only a Part-time Sweeper whose duty was confined to certain hours in the forenoon. It is also her case that the vigilance team had taken a decision without any material and only based on hearsay evidence. The petitioner points out that she had been working since the year 2000 onwards and on account of the illegal and unjust termination, she is deprived of her livelihood. From the proceedings it is clear that termination has been effected only on the basis of the direction from the Vigilance Department.

2. Pointing out these circumstances, the petitioner has approached the District Collector with Ext.P10 representation

before the 3<sup>rd</sup> respondent. As the petitioner has approached the 3<sup>rd</sup> respondent with Ext.P10 representation pointing out the grievances, I am of the view that it is only appropriate that the Government considers her representation Ext.P10 after affording an opportunity of hearing to the petitioner and passes orders considering the fact that she was working for more than 14 years as a Casual Sweeper.

In the above circumstances, the writ petition is disposed of directing the 3<sup>rd</sup> respondent to consider and pass orders on Ext.P10 representation after affording an opportunity of hearing to the petitioner within a period of two months from the date of receipt of a copy of this judgment. The 3<sup>rd</sup> respondent shall also consider the orders issued by the Government for regularisation of the Casual Sweepers while passing final orders.

Sd/-

**(P.V.ASHA, JUDGE)**

rtr/