

(2021) 03 KL CK 0384
In the High Court Of Kerala
Case No : Writ Petition (C) No. 2932 Of 2021

Biji V.C

APPELLANT

Vs

Cherupuzha Grama Panchayath And Ors

RESPONDENT

Date of Decision : 30-03-2021

Acts Referred:

Citation : (2021) 03 KL CK 0384

Hon'ble Judges : Anu Sivaraman, J

Bench : Single Bench

Advocate : T.V.Jayakumar Namboodiri, K.N. Abhilash, Bijoy Chandran

Judgement

1. This writ petition is filed seeking the following relief:

issue a writ of mandamus or any appropriate writ, directing the 2nd respondent to allow the petitioner to continue as Part Time Sweeper at Veterinary ICDP Sub centre, Kozhichal.

2. Heard the learned counsel for the petitioner, the learned Government Pleader as well as the learned counsel appearing for the 1st respondent-Panchayath.

3. It is submitted by the learned counsel for the petitioner that the petitioner has been working from 2007 as part time sweeper in the Veterinary Dispensary in Cherupuzha within the jurisdiction of the 1st respondent-Panchayath. It is submitted that the request of the Panchayath for regularisation taking note of her long years of service has not been considered by any of the respondents. The petitioner has approached the 2nd respondent with Ext.P2 representation.

4. The learned Government Pleader submits on instructions that the request of the petitioner for regularisation will have to be considered by the Government in accordance with law. In case the representation of the petitioner is forwarded to the Government along with the details of her engagement and the details of the sweeping area, the issue can be considered by the Government. It is further submitted that the sweeping work is now been carried out by the members of

the local Kudumbasree unit.

Having considered the contentions advanced on all sides, I am of the opinion that the claim raised by the petitioner for regularisation is liable to be considered in accordance with the Government order dated 25.11.2005 and the subsequent Government orders which were in force at the relevant time. There will, accordingly, be a direction to respondents 1 and 2 to send up Ext.P2 representation preferred by the petitioner along with a report including a specific report with regard to the extent of the sweeping area as measured and certified by the competent Engineer. Once the representation is forwarded to the Government, the issue will be considered by the additional 3rd respondent in accordance with law and in terms of the Government orders referred to above. Orders shall be passed after hearing the parties through any appropriate means including video conferencing within a period of three months from the date of receipt of a copy of this judgment.

This writ petition is ordered accordingly.