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(2021) 01 KL CK 0345

In the High Court Of Kerala

Case No : Writ Petition (C) No. 29220 Of 2020

Koshy Y And Ors — APPELLANT

Vs

State Of Kerala And Ors — RESPONDENT

Date of Decision : 14-01-2021

Acts Referred:

Citation : (2021) 01 KL CK 0345

Hon'ble Judges : Devan Ramachandran, J

Bench : Single Bench

Advocate : S. Sujin, Sunil Kumar Kuriakose, R.S. Kalkura

Judgement

1. The petitioners say that they are Ex-servicemen registered with the Kerala Ex-servicemen Welfare & Rehabilitation Corporation (hereinafter

referred to as 'the KEXCON' for short), which has been arrayed as the 4th respondent; and they seek a direction to the respondents to comply with

Exts. P1 to P3 orders/circulars of the Government of Kerala, as per which, it has been mandated that 2nd and 3rd respondents can only appoint

persons from the KEXCON as temporary security/other staff.

2. The petitioners, through their learned counsel Sri.S.Sujin, submit that the issues raised in this writ petition have already been answered in favour of

his clients, through the judgment of this Court in W.P.(C) No.2826/2018 & connected cases; and thus prays that his clients be allowed the same

benefits, as has been ordered therein.

3. Sri.Sunil Kumar Kuriakose, learned Senior Government Pleader - who is also appearing for the 2nd respondent - conceded that the judgment in

W.P.(C).No2826/2018 & connected cases is binding on the 2nd respondent, but justified their stand in not complying with Exts.P1 to P3

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orders/circulars, by saying that they were under the bonafide impression that they can recruit temporary security/other staff through the Employment

Exchange. He then submitted that, if this Court is so inclined, his clients will comply with Exts.P1 to P3 and admitted that, even as per the extant

Government directions, only those persons who are registered with the 4th respondent â?" KEXCON can be employed for such purposes.

Taking note of the afore circumstances, I order this writ petition and direct respondents 2 and 3 to comply implicitly with Exts.P1 to P3

orders/circulars and to appoint only the persons registered with the 4th respondent - KEXCON as temporary security/other staff.

It is needless to say that the afore directions will apply as long as Exts.P1 to P3 are in force; and if any amendments are brought to it in future,

respondents 2 and 3 will be obligated to act in terms of such also.

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