

(2010) 09 KL CK 0047

In the High Court Of Kerala

Case No : Writ Petition (C) No. 26297 of 2010 (J)

Mani K.K., Pump Operator

APPELLANT

Vs

Kerala State Housing Board and Regional Engineer

RESPONDENT

Date of Decision : 14-09-2010

Acts Referred:

Citation : (2010) 09 KL CK 0047

Hon'ble Judges : S. Siri Jagan, J

Bench : Single Bench

Advocate : P. Ramakrishnan, for the Appellant; No Appearance, for the Respondent

Judgement

S. Siri Jagan, J.—The petitioner is working as a pump operator in the 1st respondent's establishment, having joined service on 14-2-1977 as a temporary peon-cum-watchman. He was appointed as a temporary pump operator on 24.4.1979. He claimed regularization of his service and by Ext. P1 judgment, this Court directed the 1st respondent to consider the petitioner for appointment as a last grade employee. But, the 1st respondent appointed the petitioner as a pump operator by converting one post of last grade employee as that of pump operator. The petitioner submits that in spite of the same, the petitioner is being paid salary only in the scale applicable to last grade employees instead of the scale of pay applicable to pump operators.

2. The post of Assistant Grade II is available for last grade employees for appointment by transfer. Since the petitioner is being paid salary in the scale of pay of last grade employees, the petitioner applied for appointment by transfer to the post of Assistant Grade II. That application was rejected on the ground that the petitioner is a Pump Operator. According to the petitioner, the respondents cannot blow hot and cold. Therefore, the petitioner has filed Ext. P5 representation in the matter. For the present, the petitioner would be satisfied with a direction to the 1st respondent to consider and pass orders on Ext. P5 expeditiously.

3. I have heard the learned standing counsel for the Housing Board also.

Having heard both sides, I dispose of this writ petition with a direction to the 1st respondent to consider and pass orders on Ext. P5 as expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this judgment, after affording an opportunity of being heard to the petitioner.