

(2021) 01 KL CK 0243
In the High Court Of Kerala
Case No : Writ Petition (C) No. 253 Of 2021

N. Remesan And Ors

APPELLANT

Vs

State Of Kerala And Ors

RESPONDENT

Date of Decision : 06-01-2021

Acts Referred:

Citation : (2021) 01 KL CK 0243

Hon'ble Judges : Anu Sivaraman, J

Bench : Single Bench

Advocate : C.A. Rajeev, Bijoy Chandran

Judgement

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

(i) to declare that the petitioners are entitled to regularize in service as contingent employees from the dates on which the vacancies to which they were appointed actually arose.

(ii) to declare that the petitioner are entitled to consider services rendered by them as substitute workers to their regular service as contingent workers

for the purpose of calculating service benefits including pension.

(iii) issue a writ of mandamus or such other writ, other or direction commanding the 1st respondent to consider and pass orders on Ext.P2

representation within a time frame to be fixed by this Hon'ble court.

2. Heard the learned counsel for the petitioners and the learned Government Pleader as well as the learned Standing Counsel appearing for the 3rd

respondent-Municipality.

3. It is submitted by the learned counsel for the petitioners that the petitioners had been appointed as substitute workers in the Municipality and had

later been appointed as contingent employees. Seeking regularization as contingent employees with effect from the date on which the vacancies arose, the petitioners have preferred Ext.P2 representation before the 1st respondent.

4. The learned counsel for the respondent-Municipality submits that the said representation may be directed to be considered after hearing a representative of the petitioners' as well as the 3rd respondent.

There will, accordingly, be a direction to the 1st respondent to take up, consider and pass orders on Ext.P2 representation preferred by the petitioners

with notice to the petitioners as well as the 3rd respondent-Municipality. Orders shall be passed within a period of three months from the date of receipt of a copy of this judgment.

This writ petition is ordered accordingly.