

(2010) 12 KL CK 0031

In the High Court Of Kerala

Case No : Writ Petition (C) No. 12335 of 2006 (R)

P. Nirmala, Casual Sweeper

APPELLANT

Vs

The Executive Engineer and The Head Ministerial Officer

RESPONDENT

Date of Decision : 03-12-2010

Acts Referred:

Citation : (2010) 12 KL CK 0031

Hon'ble Judges : S. Siri Jagan, J

Bench : Single Bench

Advocate : Santheep Ankarath, for the Appellant; Government Pleader, for the Respondent

Judgement

S. Siri Jagan, J.—The Petitioner is a casual part time sweeper in the Water Resources Department of the Government of Kerala. She seeks regularisation in service in accordance with Ext.P6 Government order. Seeking the said relief, the Petitioner has filed Ext.P2 petition before the 1st Respondent. The Petitioner seeks a direction to the 1st Respondent to consider and pass orders on Ext.P2 in the light of Ext.P6 Government order, expeditiously.

2. The learned Government Pleader submits that the 1st Respondent cannot consider the same insofar as the Government is the authority competent to take a decision in respect thereof.

3. Having heard both sides, I dispose of this writ petition with the following directions:

The 1st Respondent shall forward Ext.P2 to the Secretary, Water Resources Department of the Government of Kerala, within two weeks from the date of receipt of a certified copy of this judgment, along with his recommendation as to the sweeping area and, as to whether a post of sweeper has to be created going by the guidelines stipulated in the Government order. The Government shall consider and pass orders on the same within three months from the date of receipt of Ext.P2 along w.p.c.12335/06 2 with the recommendation of the 1st

Respondent, after affording an opportunity of being heard to the Petitioner. For the above purpose, I suo motu implead the Secretary, Water Resources Department, Government of Kerala, as additional Respondent in the writ petition. The Petitioner shall produce a copy of the writ petition along with a certified copy of this judgment before the Secretary, Water Resources Department as well as the 1st Respondent, for compliance.