
(2021) 02 KL CK 0102
In the High Court Of Kerala
Case No : Writ Petition (C) No. 4567 Of 2021

Ramaprasad K.P

APPELLANT

Vs

State Of Kerala And Ors

RESPONDENT

Date of Decision : 25-02-2021

Acts Referred:

Citation : (2021) 02 KL CK 0102

Hon'ble Judges : Anu Sivaraman, J

Bench : Single Bench

Advocate : Binoy Vasudevan, Jithesh Menon

Judgement

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

i. Issue a writ of Certiorari or other appropriate Writs, Orders or Directions to call for the records leading upto Exhibits P-10 to the

extend it pertains to the petitioner and P-11 and to quash the same.

ii. Issue a Writ of Mandamus or other appropriate writs, orders or directions commanding the respondents to permit the petitioner to

continue in the present post on the strength of Exhibit P-1 in the interest of Justice.

iii. Issue a writ of declare that Exhibits P-10 and P-11 are illegal and vitiated by an arbitrary exercise of power and smacked by

malafides.

2. Heard the learned counsel for the petitioner and the learned senior counsel appearing for the respondents.

3. The submission of the learned counsel for the petitioner that the order of transfer is vitiated by mala fides and that it is not in public interest or in

administrative exigencies that the petitioner is being transferred out from

Thiruvananthapuram. It is contended that it is with regard to a dispute in the Association in which the petitioner claims to be the General Secretary that the transfer is being inflicted.

4. The learned senior counsel submits that the transfer is a routine transfer and that the earlier writ petitions filed with regard to the right to represent the Organization and Ext.P12 suit filed before the Munsiff Court, Thiruvananthapuram have no connection with the petitioner's transfer, which is necessitated only by administrative exigencies. It is submitted that if the petitioner has any complaint with regard to the present transfer, the same can be addressed by way of a representation to the 4th respondent, who shall forward it appropriately to the Circle Level Committee which will consider the grievance of the petitioner against the transfer.

5. The learned counsel for the petitioner submits that the petitioner has serious personal difficulties and that he had sought leave for 15 days, which has now been rejected.

6. Having considered the contentions advanced and in view of the specific contention that the transfer is being made only in administrative exigencies,

I am of the opinion that the grievance of the petitioner as against the transfer is liable to be considered in accordance with law by the appropriate authority in the Bank.

In the above view of the matter, in case the petitioner submits a representation before the 4th respondent within three days from today, the 4th

respondent shall consider the same and forward it to the Circle Level Committee for consideration of such grievance and an appropriate decision shall

be taken without delay, at any rate, within a period of two weeks thereafter. In the meanwhile, on the petitioner making an application for grant of

leave, the same shall be considered by the competent among the respondents and leave, if any, to the petitioner's credit shall be granted to him.

This writ petition is ordered accordingly.