

(2023) 03 KL CK 0321

In the High Court Of Kerala

Case No : Writ Petition (C) No. 5427 Of 2021

Santhosh M. Kartha

APPELLANT

Vs

Kerala State Road Transport Corporation

RESPONDENT

Date of Decision : 31-03-2023

Acts Referred:

Citation : (2023) 03 KL CK 0321

Hon'ble Judges : Sathish Ninan, J

Bench : Single Bench

Advocate : Nandagopal S.Kurup, Deepu Thankan

Final Decision : Disposed Of

Judgement

Sathish Ninan, J.

1. The petitioner is a driver in the 1st respondent, Kerala State Road Transport Corporation (hereinafter referred to as "Corporation" for short). As per Ext.P3 he was transferred to Thiruvananthapuram Central Depot. He sought for recalling the order of transfer on medical grounds. Since no action was taken on his request, he appeared for duty at Thiruvananthapuram Central Depot. However, on such appearance he was intimated that he was re-transferred to Ponkunnam Depot. When the petitioner approached the Ponkunnam Depot, the 3rd respondent intimated him that no such orders have been received by him. In the course of above, the petitioner was out of duty for a period from 29.10.2019 to 07.03.2020. In fact Ext.P3 transfer memo was recalled by the 2nd respondent as is evidenced by Ext.P11 which is duly communicated to the 3rd respondent. The absence from duty occurred not due to the fault of the petitioner. On these averments, he seeks for regularisation of service.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel for the Corporation.

3. The petitioner has submitted Ext.P12 representation before the 2nd

respondent voicing his grievance. It would be sufficient if the 2nd respondent considers the same and passes appropriate orders.

Resultantly, this writ petition is disposed of directing the 2nd respondent to consider and pass appropriate orders on Ext.P12 representation, having due regard to Exts.P3 and P11 and after affording an opportunity of hearing to the petitioner, as expeditiously as possible and at any rate, within a period of three months from the date of receipt of a copy of this judgment.