

(2022) 08 KL CK 0091

In the High Court Of Kerala

Case No : Writ Petition (C) No. 22816 Of 2022

Shaji U

APPELLANT

Vs

Regional Manager, Supplyco, Regional Office, Maveli Tower,
Thirunakkara, Kottayam 686001

RESPONDENT

Date of Decision : 10-08-2022

Acts Referred:

Citation : (2022) 08 KL CK 0091

Hon'ble Judges : Anu Sivaraman, J

Bench : Single Bench

Advocate : K.P.Satheesan, K.Sudhinkumar, S.K.Adhithyan, Sabu Pullan, Gokul D. Sudhakaran, P.Mohandas, R.Lakshmi Narayan, Molly Jacob

Final Decision : Disposed Of

Judgement

Anu Sivaraman, J

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

"i. to issue a Writ of Certiorari or such other appropriate writ, order or direction quashing Ext.P5 order No.E1-3509/20 dated 11-07-2022 issued by the 2nd respondent as it is arbitrary, illegal and unjust.

ii. to issue a Writ of Mandamus or order or direction to the 1st respondent to retain the petitioner at Pampanar Supermarket as Officer-in-charge ordered as per Ext.P4.

iii. to declare that the petitioner is entitled to continue at Pampanar Supermarket as Officer-in-charge until he completes the minimum tenure of three years."

2. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents.

3. It is submitted by the learned counsel for the petitioner that the petitioner, who is a Senior Clerk, is on deputation to the Supplyco. He was posted to the

Kanjirappally depot of the Supplyco as per Ext.P2 order and was posted at the Ponkunnam NFSA depot. It is submitted that the petitioner was again transferred to Pampanar Supermarket as per order dated 31.12.2021 and is continuing there. While so, he has been transferred to Kanjirappally again, which is under challenge in this writ petition. The learned Senior Counsel for the petitioner submits that he is being repeatedly transferred without any necessity and that Exts.P6 and P7 circulars are not being implemented while passing the orders of transfer.

4. A statement has been placed on record by the 1st respondent stating that the petitioner was initially deployed on deputation to the Kanjirappally depot and that he was posted as Officer-in-charge of the NFSA depot, Ponkunnam. It is stated that the petitioner took leave without taking charge at Ponkunnam and thereafter, the petitioner had been posted to Pampanar Supermarket by the Depot Assistant Manager. It is submitted that there were allegations with regard to the Officer-in-charge of the NFSA and that due to dearth of staff at the NFSA godown, Kanjirappally, the petitioner had to be transferred to Kanjirappally which is the reason why Ext.P5 order has been passed. It is submitted that the petitioner has not approached any of the authorities of the Civil Supplies Corporation pointing out his difficulties or seeking continuance at Pampanar.

5. I have considered the contentions advanced. In view of the fact that the issue is with regard to transfer and postings of employees, I am of the opinion that it is for the petitioner to approach the competent authority under the Kerala Civil Supplies Corporation seeking redressal of his grievances, if any.

In the above view of the matter, in case the petitioner approaches the Chairman and Managing Director of the Kerala Civil Supplies Corporation with a representation, pointing out his difficulties and seeking retention at Pampanar within one week, the same will be considered in accordance with law, taking note of Exts.P6 and P7 as well. Appropriate orders shall be passed, after hearing the petitioner as well, within a period of one month from the date on which the petitioner approaches the Chairman and Managing Director with an appropriate representation. Till orders are passed as directed above, the status quo as on today shall be maintained.

This writ petition is ordered accordingly.