
(2021) 06 KL CK 0178
In the High Court Of Kerala
Case No : Writ Petition (C) No. 4377 Of 2021

Sunil.T.F

APPELLANT

Vs

Kerala State Road Transport Corporation

RESPONDENT

Date of Decision : 11-06-2021

Acts Referred:

Kerala Service Rules, 1999 — Rule 24

Citation : (2021) 06 KL CK 0178

Hon'ble Judges : C. S. Dias, J

Bench : Single Bench

Advocate : K.P.Justine, A.Joseph George, Deepu Thankan

Final Decision : Disposed Of

Judgement

C.S.Dias, J

1. The petitioner was a driver of the 1st respondent Corporation. He had joined the services of the Corporation as early as on 10.5.2008. As the

petitioner could not perform his duties with effect from 10.4.2017, he had forwarded a request for leave. Nevertheless, he was served with Ext.P1

termination order. This Court by Ext.P2 judgment has held that Rule 24 of Part-1 of Kerala Service Rules can be invoked only if an employee has

been continuously absent for more than five years. The said ratio is squarely applicable to the facts of the petitioner's case also. In such

circumstances, the petitioner has submitted Ext.P3 representation before the 2nd respondent. The petitioner seeks for a direction to the 2nd

respondent to consider Ext.P3 representation within a time frame. Hence, the writ petition.

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

3. Taking note of the fact that the petitioner has submitted Ext.P3 representation as early as on 2.12.2020 and the same is pending consideration

before the 2nd respondent, without expressing anything on merits of the matter, I direct the 2nd respondent to consider Ext.P3 representation, in light

of Ext.P2 judgment passed by this Court and in accordance with law, and dispose the same, as expeditiously as possible and at any rate within a

period of two months from the date of receipt of a copy of this judgment.

The Writ Petition is ordered accordingly.