



GOVERNMENT OF KERALA

Abstract

Local Self Government Department – Establishment – Judgment dated 20/11/2012 in WP(C) No.27388 of 2012 filed by Sri.Ramesan.M.A, Health Inspector Grade II, Alappuzha Municipality – Complied with - orders issued

LOCAL SELF GOVERNMENT (EU) DEPARTMENT

GO(Rt)No. 1715/2013/LSGD

Dated, Thiruvananthapuram 28/6/2013

Read:- 1. GO(Ms)105/07/LSGD dated 4/4/2007

2. Proceedings No. E5-2880/12 dated, 18/10/2012 of the Director of Urban Affairs.

3. Representaion dated 19/10/2012 from Sri. Ramesan.M.A

4. Judgment dated 20/11/2012 in WP(C)No.27388 of 2012 filed by Sri. Ramesan.M.A

5. Letter No.E5-17736/12 dated 2/01//2013 from the Director of Urban Affairs,
Thiruvananthapuram

ORDER

Sri.Ramesan.M.A , Health Inspector Grade II, Alappuzha Municipality had filed Writ Petition(C) No. 27388/2012 before Honorable High Court against the orders of the Director of Urban Affairs read as 2nd paper above, transferring him out from the Corporation of Kochi to the Municipal Corporation Alappuzha.

2.The Honorable High Court in the judgment read as 4th paper above has directed the Government, the first respondent, to consider the representation dated 19/10/2012 (Ex P6 in the WP(C)) submitted by the petitioner before Government and pass appropriate orders thereon after giving an opportunity of hearing to the petitioner and also to the third respondent, in tune with the relevant norms, at the earliest within two months from the date of receipt of a copy of the judgment. Copy of the judgement was received by Government on 21/01/2013.

3. Accordingly, representative of the Government heard the petitioner on 28/02/2013 and the 3rd respondent on 31/05/2013. Government have examined ExP6 petition in consultation with the Director of Urban Affairs.The Director of Urban Affairs has reported nothing about the administrative exigency warranting the petitioner to be transferred to Alappuzha so as to accommodate a newly promoted Health Inspector in the Corporation of Kochi. It is seen that he has been transfered in violation of transfer norms issued as per the Government order read as 1st paper above on the following grounds.

- (i) He is a member of the scheduled caste community (violation of norms at para 13 of the Government order)
- (ii) His wife who is a member of scheduled tribe community is working in Kochi(violation of norms at para 15 of the Government order)
- (iii) His junior was transfered to Kochi throwing him away(violation of norms at para 5 of the Government order)
- (iv) He was transfered in October 2012 in the midst of the academic year(violation of norms at part I of the Government order)
- (v) He was transfered without allowing to complete three years service in the station(violation of norms at part III of the Government order)

4. In the above circumstances the Director of Urban Affairs is directed to review forthwith the transfer of Sri.Ramesan.M.A, Health Inspector Grade II as per the existing transfer norms issued under Government order read as 1st paper above and report compliance to Government.

5. The judgment of the Honourable Court read as 3rd paper above is thus complied

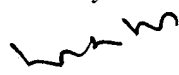
By Order of the Governor,

P. RAMLATH,
UNDER SECRETARY.

To

The Advocate General, Kerala, Ernakulam (with C/L)
The Director of Local Fund Audit, Thiruvananthapuram
The Director of Urban Affairs, Thiruvananthapuram
The Secretary, Alappuzha Municipality
The Secretary, Kochi, Corporation
✓ The Director, Information Kerala Mission, Thiruvananthapuram
Sri.M.A.Ramesan, Health Inspector Grade II, Alappuzha Municipality
Stock file/Office Copy.

Forwarded/By Order,


Section Officer