



GOVERNMENT OF KERALA

Abstract

Local Self Government Department – Establishment – Town & Country Planning Department – Judgment in WP(C) No. 16132/16 (N) filed by Shri. Mohandas V.K, Secretary, Thrissur Development Authority ( Town Planner on deputation ) and Shri. Ashok Kumar, Senior Town Planner , Office of the Chief Town Planner – Complied with - Orders issued

LOCAL SELF GOVERNMENT (EU) DEPARTMENT

GO(Rt)No. 1778 /2016/LSGD.

Dated, Thiruvananthapuram 28/05/2016

- Read: 1. Judgment in WP(C) No. 16132/16 (N) filed by Shri. Mohandas V.K, Secretary, Thrissur Development Authority ( Town Planner on deputation ) and Shri. Ashok Kumar, Senior Town Planner , Office of the Chief Town Planner.
2. Representation dated 05.05.2016 from Shri. Mohandas V.K ( Town Planner on deputation ) Secretary. Thrissur Development Authority.
  3. Representation dated 07.05.2016 from Shri. Ashok Kumar, Senior Town Planner , Office of the Chief Town Planner.
  4. Letter No. A3-1207/16 dated 05.05.2016 from the Chief Town Planner
  5. Fax Message dated 26.05.2016 from Government Pleader , Office of the Advocate General.
  6. GO(Rt) No. 1747/2016/LSGD dated 26/05/2016.

ORDER

As per the judgment read as 1<sup>st</sup> paper above Hon'ble Court is of the view that since the promotions are being effected in the light of statutory provisions and the decision of the Government, which was taken much before the announcement of the election, dehors the general elections, if the petitioners are otherwise eligible and entitled, the promotions shall be effected in accordance with norms without any delay. Needful shall be done by the first respondent taking note of the fact that the petitioners are due to retire from service on 31.05.2016.

2. In the representation read as 2<sup>nd</sup> paper above Shri. Mohandas V.K has requested to promote him to the post of Senior Town Planner taking into consideration that he being the 3<sup>rd</sup> Senior most Town Planner to be considered for promotion to the post of Senior Town Planner in the Town and Country Planning Department as per the select list published vide GO(P) 1/2016/LSGD dated 06.01.2016 and is due to retire on 31.05.2016 AN on superannuation. He has informed that the post of Secretary in Thrissur Development Authority has been upgraded to the rank of Senior Town Planner as per Section 54 of the Town and Country Planning Act 2016 which states that the Secretaries of Development Authority shall be not below the rank of Senior Town Planner of Town & Country Planning Department and hence requested to promote him as Senior Town Planner.

In the representation read as 3<sup>rd</sup> paper above Shri. Asok Kumar has requested to render him promotion as Additional Chief Town Planner in compliance with the Judgment read above and taking into consideration that he is due to retire on 31.05.2016.

3. The Chief Town Planner in his letter read as 4<sup>th</sup> paper above has reported that at present no post of Town Planner is vacant in the department. It is further reported that with the promotion of Shri. Shaji Joseph as Chief Town Planner (Planning) and Shri. Asok Kumar as Additional Chief Town Planner, two vacancies will arise in the department. In those two vacancies the senior most Town Planners in the select list namely Smt. K.S. Girija and Shri. C.P. Promod Kumar will be promoted. The promotion of Shri. V.K. Mohandas as Senior Town Planner can be considered only by upgrading the post of Secretary Thrissur Development Authority.

4. In the circumstance that Shri. Shaji Joseph is promoted to the post of Additional Chief Town Planner as per the Government Order read as 6<sup>th</sup> paper above, the request of Shri. Ashok Kumar to promote him to the post of Additional Chief Town Planner, will be considered soon by promoting Shri. Shaji Joseph to the post of Chief Town Planner (Planning). The request of Shri. Mohandas V.K to promote him as Senior Town Planner by upgrading the post of Secretary Thrissur Development Authority cannot be considered now as no proposal is received till date regarding the upgradation of the post of Secretary, Thrissur Development Authority, to the rank of Senior Town Planner or no proposal with specific recommendation to promote Shri. Mohandas V.K is received from the Chief Town Planner. Hence the request of Shri. Mohandas V.K Town Planner on deputation to Thrissur Development Authority as Secretary is rejected.

5. The judgment read as 1<sup>st</sup> paper above is complied with accordingly.

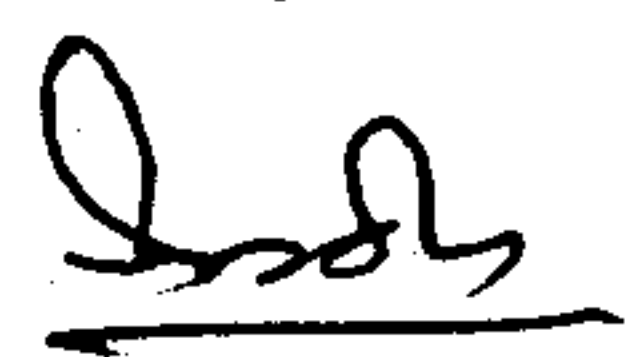
By Order of the Governor,

**RETNAMMA.V,**  
Joint Secretary to Government.

To

The Advocate General , Ernakulam  
The Accountant General (A&E)/, Kerala, Thiruvananthapuram  
The Officers Concerned (Through Chief Town Planner)  
The Chief Town Planner ,Thiruvananthapuram.  
✓ The Director, Information Kerala Mission, Thiruvananthapuram.  
Stock file/Office Copy.

Forwarded/ By Order

  
Section Officer

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