

Kerala High Court

Harish K.M. vs Director on 21 May, 2009

IN THE HIGH COURT OF KERALA AT ERNAKULAM

WP(C).No. 13672 of 2009(D)

1. HARISH K.M.S/O.MOHAMMED IBRAHIM,
... Petitioner
2. KRISHNAKUMAR A.M. S/O. MOHANAN,
3. PRASEED KUMAR V.A. S/O. NARAYANAN NAIR,
4. ABSU S., LIVE STOCK INSPECTOR GRADE- II,
5. SINDHU K.V.LIVE STOCK INSPECTOR GRADE-II
6. SMITHA V.J. LIVE STOCK INSPECTOR
7. SRI. RAVEESH R., LIVE STOCK INSPECTOR,
8. SRI.SREEKUMAR S.,LIVE STOCK INSPECTOR
9. SRI.RAJEEV.C.RAJESH, LIVE STOCK
10. SMT.SHYLAJA P.K. LIVE STOCK INSPECTOR,
11. SMT.JISHA T.A. LIVE STOCK INSPECTOR
12. SMT.MANJU R.N., LIVE STOCK INSPECTOR

Vs

1. DIRECTOR, ANIMAL HUSBANDRY DEPARTMENT,
... Respondent
2. DISTRICT ANIMAL HUSBANDRY OFFICER,
3. DISTRICT EMPLOYMENT EXCHANGE OFFICER,

For Petitioner :SRI.T.V.GEORGE

For Respondent : No Appearance

The Hon'ble MR. Justice P.N.RAVINDRAN

Dated :21/05/2009

O R D E R

P.N.RAVINDRAN, J.

W.P.(C).No.13672 of 2009

Dated 21st May, 2009

JUDGMENT

Heard Sri.T.V.George, the learned counsel appearing for the petitioners.

2. The petitioners are Live Stock Inspectors appointed under Rule 9(a)(i) of Part II of the Kerala State & Subordinate Services Rules. They claim continuance in service till regular hands recruited by the Kerala Public Service Commission join duty. The issue raised in this writ petition is directly covered against the petitioners by the decision of the Full Bench of this Court in Radha v. District Medical Officer (2002 (2) KLT 711). The Full Bench of this Court has in the aforesaid decision held that employees appointed under Rule 9(a)(i) of Part II of the Kerala State & Subordinate Services Rules have no right to continue in service beyond the term for which they were appointed. Further, the 9th proviso to Rule 9(a)(i) of Part II of the KS & SSR interdicts such continuance in service. In the light of the authoritative pronouncement of the Full Bench of this Court and the stipulations in the 9th proviso to Rule 9(a)(i) of Part II of the KS & SSR, the petitioners cannot seek or be granted the reliefs prayed for in this writ petition. Further, the learned Government Pleader appearing for the respondents submits on instructions that a list of candidates sponsored by Employment Exchanges has been forwarded to various appointing authorities as early as on 8.5.2009. For that reason also the petitioners cannot seek or be granted the reliefs prayed for in this writ petition. The writ petition fails and is accordingly dismissed in limine.

P.N.RAVINDRAN Judge TKS