

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 28TH SEPTEMBER 2007 / 6TH ASWINA 1929

OP.No. 31118 of 1999(D)

PETITIONER: -

**P.ABOO, L.D. CLERK,
KOTTATHARA GRAMA PANCHAYAT,
KOTTATHARA, WAYANAD.**

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: -

- 1. STATE OF KERALA, REP: BY THE
SECRETARY, DEPARTMENT OF LOCAL
ADMINISTRATION, SECRETARIAT,
THIRUVANANTHAPURAM.**
- 2. THE DIRECTOR OF PANCHAYAT,
THIRUVANANTHAPURAM.**
- 3. THE DEPUTY DIRECTOR OF PANCHAYAT,
WAYANAD.**
- 4. THE DISTRICT PANCHAYAT OFFICER, WAYANAD.**
- 5. M.M.NARENDRA, U.D. CLERK,
POZHUTHANA GRAMA PANCHAYAT, WAYANAD.**

BY GOVT. PLEADER SRI.P.N.SANTHOSH.

**THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 28/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

ORDER ON CMP.NO.53001 OF 1999 IN OP.NO.31118 OF 1999-D.

28.9.2007.

Sd/- T.R.Ramachandran Nair, Judge.

Petitioner' Exhibits:-

- Ext.P1:** Copy of the Order of the 3rd respondent dtd.6.5.1998.
- Ext.P2:** Copy of the certificate issued by the PSC No.12219/95 dtd.30.9.1995.
- Ext.P2(A):** Copy of the certificate issued by the PSC dtd.20.2.1993.
- Ext.P2(B):** Copy of the certificate issued by the PSC dtd.26.7.1996.
- Ext.P3:** Copy of the relevant pages of the service book of the petitioner.
- Ext.P4:** Copy of the representation made by the petitioner to the 2nd respondent dtd.3.6.1998..
- Ext.P5:** Copy of the letter of Secretary Kottathara Grama Panchayat dtd.4.6.1998.
- Ext.P6:** Copy of the order of the 2nd respondent dtd.10.8.1998.
- Ext.P7:** Copy of the judgment in OP.No.17611/1998 of this Hon'ble Court dtd.12.8.1999.
- Ext.P8:** Copy of the order of the 2nd respondent dtd.15.9.1999.

Respondents' Exhibits:- Nil.

(true copy)

P.A. TO JUDGE.

Kvs/-

T.R.RAMACHANDRAN NAIR, J.

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O.P.No. 31118 of 1999-D.

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Dated this the 28th day of September, 2007.

J U D G M E N T

The main prayer in the writ petition is for a direction to the respondents to promote the petitioner to the post of Upper Division Clerk. The petitioner was working as a Lower Division Clerk and the case of the petitioner is that he has passed all the departmental tests for promotion to the post of U.D. Clerk. But he had not completed the period of probation in the post of L.D. Clerk. While so, some others are promoted as U.D. Clerk and the only impediment of the petitioner is want of completion of probation in the post of L.D. Clerk.

2. There was no interim order in this case to consider the petitioner for promotion at that time. Now eight years have already elapsed and the petitioner might have obtained promotion in the meanwhile. If there is any subsisting grievance the petitioner can approach the competent authority with appropriate representation.

With the above observation, this Original Petition is closed.

T.R.RAMACHANDRAN NAIR, JUDGE.

Kvs/-