

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

TUESDAY, THE 31ST DAY OF OCTOBER 2017/9TH KARTHIKA, 1939

WP(C).No. 34818 of 2017 (B)

PETITIONER:

ABRAHAM. MA,  
SENIOR SUPERINTENDENT,  
KERALA STATE ELECTRICITY BOARD LIMITED,  
ELECTRICAL SECTION, KURUKONE,  
RESIDING AT 'ADUKKATHIL' AYUR P.O, KOLLAM 691 533.

BY ADVS.SRI.C.UNNIKRISHNAN (KOLLAM)  
SRI.JOHNSON GOMEZ  
SRI.S.BIJU (KIZHAKKANELA)  
SRI.GEORGE SEBASTIAN (G-607)

RESPONDENT(S) :

1. KERALA STATE ELECTRICITY BOARD LIMITED  
REPRESENTED BY ITS SECRETARY, VYDYUTHI BHAVAN,  
PATTOM, THIRUVANANTHAPURAM PIN-695 004.
2. THE SECRETARY (ADMINISTRATION)  
KERALA STATE ELECTRICITY BOARD LIMITED  
VYDYUTHI BHAVAN,  
PATTOM, THIRUVANANTHAPURAM PIN-695 004.
3. THE CHIEF ENGINEER, (HRM) ,  
KERALA STATE ELECTRICITY BOARD LIMITED  
VYDYUTHI BHAVAN,  
PATTOM, THIRUVANANTHAPURAM PIN-695 004.
4. THE CHAIRMAN,  
KERALA STATE ELECTRICITY BOARD LIMITED  
VYDYUTHI BHAVAN,  
PATTOM, THIRUVANANTHAPURAM PIN-695 004.
5. THE CHAIRMAN,  
APPEAL COMMITTEE FOR TRANSFER GRIEVANCES,  
VYDYUTHI BHAVAN,  
PATTOM, THIRUVANANTHAPURAM PIN-695 004.

BY ADV. SRI M.K.THANKAPPAN, SC  
SMT.ANEETHA A.G. , SC,

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 31-10-2017, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

K.V.

-----

APPENDIX

PETITIONERS EXHIBITS:

-----

- P1; TRUE COPY OF THE RELEVANT PAGES OF TRANSFER ORDER  
DATED 11/10/2017 ISSUED BY THE 3RD RESPONDENT.
- P2; TRUE COPY OF THE BO (FTD) NO 888/EB7/GENERAL  
TRANSFER/OFFICERS/2017) DATED 3/4/2017 ISSUING GUIDELINES.
- P3; TRUE COPY OF THE TRIAL TRANSFER LIST DATED 23.9.2017.
- P4; TRUE COPY OF THE APPLICATION FOR PROTECTION SUBMITTED BY THE  
PETITIONER ON 22.5.2017.
- P5; TRUE COPY OF THE APPEAL DATED 13.10.2017 ALONG WITH ALL THE  
MEDICAL CERTIFICATE AND OTHER RELEVANT DOCUMENTS BEFORE THE  
APPEAL COMMITTEE.

RESPONDENTS EXHIBITS: NIL

-----

/TRUE COPY/

K.V.

P.S.TO JUDGE

**P.V.ASHA J.**

-----  
**W.P.(C).No.34818 of 2017**  
-----

Dated this the 31<sup>st</sup> day of October, 2017

**J U D G M E N T**

Petitioner, who is working as Senior Superintendent in KSEB at Kurukone Electrical Section, Punalur, is aggrieved by Ext.P1 order of transfer, by which he is posted to Edavannappara Electrical Section, Malappuram. Petitioner submits that he has got only 9 months for superannuation and he is a Cardiac patient undergoing treatment at Sree Chitra Tirunal Institute for Medical Science and Technology. It is pointed out that originally his transfer was proposed to a station very near to his residence. Aggrieved by the order of transfer, the petitioner has submitted Ext.P5 appeal before the appeal committee along with medical certificates and it is pointed out that he is eligible for protection from transfer on medical grounds also.

2. It is seen that the respondents themselves have constituted an appeal committee, in order to consider the grievances of the employees, arising out of transfer. In the above circumstances, it is for the appeal committee to

consider the hardship pointed out by the employees, in the appeal.

3. Heard the learned counsel for the petitioner and the learned Standing Counsel.

In view of the above circumstances, the writ petition is disposed of, directing the 5<sup>th</sup> respondent-appeal committee to consider Ext.P5 appeal and pass orders thereon having regard to the medical certificates and other records produced along with the appeal, within a period of 'three weeks' from the date of receipt of a copy of this judgment.

Till such time, the petitioner shall be allowed to continue in the present station, in case petitioner is not relieved and the substitute has not joined.

Sd/-  
**P.V.ASHA, JUDGE.**