

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 30TH DAY OF SEPTEMBER 2019 / 8TH ASWINA, 1941

WP(C) .No.2725 OF 2018 (M)

PETITIONER/S:

SHIBI RANI C.R  
AGED 40 YEARS  
KATTUVILA VEEDU (CHAITRAM) ,  
KUNNATHOORKIZHKKEMURI ,KUNNATHOOR EAST P.O. , KOLLAM  
DISTRICT-690 540 .

BY ADVS.  
SRI.S.KRISHNAMOORTHY  
SMT.SNEHA ROSE  
SRI.K.S.SREEJITH (S 3368)

RESPONDENT/S:

- 1 TRIVANDRUM REGIONAL CO-OPERATIVE MILK PRODUCERS '  
UNION LTD  
(AFFILIATED TO KCMF LTD) , HEAD  
OFFICE ,KSHEERABHAVAN, PATTOM, TRIVANDRUM-695  
004, REPRESENTED BY MANAGING DIRECTOR.
- 2 THE MANAGER  
PATHANAMTHITTA DIARY, PATHANAMTHITTA.
- 3 THE MANAGER F&A  
TRIVANDRUM REGIONAL CO-OPERATIVE MILK PRODUCER'S  
UNION LTD. , (AFFILIATED TO KCMF LTD) ,HEAD OFFICE,  
KSHEERA BHAVAN, PATTOM, TRIVANDRUM-695 004.

R1-3 BY ADV. SMT.LATHA ANAND

OTHER PRESENT:

SRGP BIMAL K NATH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
30.09.2019, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**JUDGMENT**

**Dated this the 30th day of September 2019**

The petitioner is the wife of deceased Vinod, who died-in-harness while working as an Attender Grade-II with the first respondent. Thereafter, she was given compassionate appointment only on temporary basis for the reason that there was a challenge against her appointment by the mother of the deceased. The learned counsel for the petitioner submitted that the suit filed by the mother of the deceased was dismissed and there is no impediment in considering her in a regular vacancy. The learned Standing Counsel submitted that the petitioner was given temporary appointment mainly on the ground that there was a challenge against her appointment by the mother of the deceased.

2. If the petitioner produces a certified copy of the decree in O.S.No.172/2014, necessary action shall be taken by the competent among the respondents to regularise her appointment on being satisfied that the suit was dismissed. Needful shall be done within one month from the date of receipt of production of the certified copy of the decree in O.S.No.172/2014.

The writ petition is disposed of as above.

sd/-

**A.MUHAMED MUSTAQUE**

**JUDGE**

## **APPENDIX**

### **PETITIONER'S/S EXHIBITS:**

EXHIBIT P1: TRUE PHOTOCOPY OF THE ORDER  
NO.TRU/PER/2/2014/3205 DATED 4.11.2014.

EXHIBIT P2: TRUE PHOTOCOPY OF THE ORDER  
NO.TRU/ER/2/2015/4880 DATED 6.2.2015.

EXHIBIT P3: TRUE PHOTOCOPY OF THE ORDER NO.ORDER  
NO.TRU/PER/2/2015/573 DATED 2.5.2015.

EXHIBIT P4: TRUE COPY OF THE ORDER NO.TRU/PER  
2/2015/2074 DATED 30.7.2015.

EXHIBIT P5: TRUE COPY OF THE REPRESENTATION DATED  
23.11.2017.

### **RESPONDENT'S/S EXHIBITS:**

EXHIBIT R1 (a) TRUE COPY OF SCHEME APPROVED BY THE BOARD  
OF DIRECTORS OF THE FEDERATION IN ITS  
MEETING HELD ON 23/11/1998