

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

FRIDAY, THE 13TH DAY OF OCTOBER 2017/21ST ASWINA, 1939

WP(C).No. 21269 of 2017 (G)

PETITIONER(S):

1. SHIBAB M.M
AGED 35, S/O.MUSTHAFA M.K, RESIDING AT MUNDACKAL,
VENGOL P.O., ARAKKAPPADY, ERNAKULAM - 683554.
2. ANOOPKUMAR.K.R
AGED 35, S/O.K.RAMAN, RESIDING AT PUTHANPURA,
CHELASSERIKUNNU, NILAMBUR P.O., MALAPPURAM - 679329.
3. RASHID M.T.,
AGED 29, S/O.HYDERALI M.T, RESIDING AT MANNITHODI,
PANNIPPARA P.O., EDAVANNAVAI, MALAPPURAM. 676 654
4. DIBU.I
AGED 33, S/O.BABU.I, RESIDING AT "SRUTHI", KIRALUR,
CHERUVADIYILPARAMBA, P.O.KIZHAKUMURI,
KAKKODI, KOZHIKODE - 67361.
5. SHIJU M.P
AGED 38, S/O.VELAYUDHAN, RESIDING AT MEKKADAPURAYIL,
MUNDAKKAL, POOVATTUPARAMBA, P.O., KOZHIKODE - 673008.
6. SUSODH.P
AGED 37, S/O.SUDHAKARAN.P, RESIDING AT PATTATHANAM,
MANNUR P.O., KOZHIKODE - 673328.
7. BENESH MANUEL
AGED 37, S/O.MANUEL K.S, RESIDING AT KUNNAPPALLY,
NADAVAYAL P.O., KATTADIKKAVAL, PANAMARAM VIA,
WAYANAD - 670721.
8. GOPIKRISHNAN.J
AGED 27, S/O.JANARDHANAN, RESIDING AT LAKSHMINIVAS,
MANNADIAR LANE, CHITTUR, PALAKKAD - 678101.
9. JAYAKRISHNAN.K
AGED 34, S/O.RADHAKRISHNAN.K,
RESIDING AT SREENILAYAM, P.O. MEDICAL COLLEGE,
CALICAUT - 673008.

BY ADV. SRI.T.SHIHABUDHEEN

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RESPONDENT(S):

1. **DIRECTOR OF DAIRY DEVELOPMENT
DIRECTORATE OF THE DAIRY DEVELOPMENT DEPARTMENT,
PATTOM, THIRUVANANTHAPURAM - 695 004.**
2. **MALABAR REGIONAL CO-OPERATIVE MILK PRODUCERS' UNION LTD.
(MRCMPU), HEAD OFFICE, PERINGOLAM, KUNNAMANGALAM P.O.,
KOZHIKODE - 673 571, REPRESENTED BY ITS MANAGING DIRECTOR.**
3. **MANAGING DIRECTOR
MALABAR REGIONAL CO-OPERATIVE MILK PRODUCERS' UNION LTD.,
(MRCMPU), HEAD OFFICE, PERINGOLAM,
KUNNAMANGALAM P.O., KOZHIKODE - 673 571.**
4. **C.ACHUDHAN
PRESIDENT, ONGALLUR APCOS, ONGALLUR,
PATTAMBI, PALAKKAD - 679 313.**

**R1 BY SR GOVERNMENT PLEADER SRI. HAIRSH
SRI.K.ANAND (SR.)**

R2-R3 BY ADVS. SMT.LATHA ANAND, SC, MRCMPU LTD.

R4 BY ADV. SRI.M.SASINDRAN SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-10-2017,ALONG WITH WPC NO. 31762/2017 THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:**

sdr/-

WP(C).No. 21269 of 2017 (G)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT-P1: A TRUE COPY OF THE NOTIFICATION NO.MRU/PER/114/2015-16 DATED 16.03.2016.**
- EXHIBIT-P2: A TRUE COPY OF THE INTERVIEW CALL LETTER NO.MRU/PER/114/TECH/EN/2015-16/465 DATED 13.03.2017.**
- EXHIBIT-P3: A TRUE COPY OF THE INTERVIEW CALL LETTER NO.MRU/PER/114/TECH/EN/2015-16/465 DATED 13.03.2017.**
- EXHIBIT-P4: A TRUE COPY OF THE INTERVIEW CALL LETTER NO.MRU/PER/114/TECH/EN/2015-16/465 DATED 13.03.2017.**
- EXHIBIT-P5: A TRUE COPY OF THE INTERVIEW CALL LETTER NO.MRU/PER/114/TECH/EN/2015-16/465 DATED 13.03.2017.**
- EXHIBIT-P6: A TRUE COPY OF THE INTERVIEW CALL LETTER NO.MRU/PER/114/TECH/EN/2015-16/465 DATED 13.03.2017.**
- EXHIBIT-P7: A TRUE COPY OF THE INTERVIEW CALL LETTER NO.MRU/PER/114/TECH/EN/2015-16/465 DATED 13.03.2017.**
- EXHIBIT-P8: A TRUE COPY OF THE INTERVIEW CALL LETTER NO.MRU/PER/114/TECH/EN/2015-16/465 DATED 19.04.2017.**
- EXHIBIT-P9: A TRUE COPY OF THE INTERVIEW CALL LETTER NO.MRU/PER/114/TECH/EN/2015-16/465 DATED 05.04.2017.**
- EXHIBIT-P10: A TRUE COPY OF THE INTERVIEW CALL LETTER NO.MRU/PER/114/TECH/EN/2015-16/465 DATED 19.04.2017.**
- EXHIBIT-P11: A TRUE COPY OF THE RANK LIST OF ASSISTANT VETERINARY OFFICER DATED 30.11.2016.**
- EXHIBIT-P12: A TRUE COPY OF THE TECHNICIAN GRADE II (WELDER) DATED 25.01.2017.**
- EXHIBIT-P13: A TRUE COPY OF THE TECHNICIAN GRADE II (MRAC) DATED 09.03.2017.**
- EXHIBIT-P14: A TRUE COPY OF THE NOTIFICATION NO.C1/7300/2017 DATED 21.04.2017.**

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**EXHIBIT-P15: A TRUE COPY OF THE NOTIFICATION NO.MRU/PER/114/2017-18
DATED 10.5.2017.**

**EXHIBIT-P16: A TRUE COPY OF THE COMPLAINT DATED 21.04.2017 FILED
BY THE FOURTH RESPONDENT.**

RESPONDENT(S)' EXHIBITS

EXT.R1(A) TRUE COPY OF THE G.O. (MS) NO. 164/2014/AD DATED 02.08.2014

**EXT.R1(B) TRUE COPY OF THE LETTER DATED 06-06-2017 ISSUED BY THE
1ST RESPONDENT**

**EXT.R1(C) TRUE COPY OF THE AUDIT CERTIFICATE AND MEMORANDUM
DATED 09-09-2016**

/TRUE COPY/

PA TO JUDGE

sdr/-

SHAJI P. CHALY, J.

W.P.(C) Nos.21269 & 31762 of 2017

Dated this the 13th day of October, 2017

J U D G M E N T

Captioned writ petitions are materially connected in respect of an enquiry ordered as per Ext.P14 order dated 21.4.2017 by the Registrar produced along with W.P.(C) No.21269/2017. The very same order is under challenge in the other writ petition. Apparently on the basis of Ext.P14 order, enquiry is going on. The contentions advanced by the petitioners are that, there is no substance in the complaint filed by the 4th respondent in the writ petition and without assimilating the fact situations alone, the enquiry was ordered.

2. From the counter affidavit filed by the 1st respondent, it is categoric and clear that, an Enquiry Committee is constituted and enquiry is going in. However, some time is required to finalize the enquiry proceedings. In my considered opinion, these writ petitions are pending before this court without attaining any finality for the past several months. Substantial justice will be done if a direction is issued to finalize the proceedings pertaining to Ext.P14 within a time frame.

3. Having heard learned counsel for petitioners, learned

Senior Government Pleader and learned counsel appearing for respective respondents, there will be a direction to the Director of Dairy Development, Thiruvananthapuram to attain finality to Ext.P14 enquiry ordered, at the earliest possible and at any rate within six weeks from the date of receipt of a copy of this judgment, after providing an opportunity of hearing to the petitioners. I make it clear that, in the enquiry if it is found that, there are no circumstances disabling the rank list to be published, same shall be published without any delay.

Writ petitions are disposed of accordingly.

Sd/-
SHAJI P. CHALY
JUDGE

smv
16.10.2017