

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present:

THE HONOURABLE MR. JUSTICE C.S.DIAS

Wednesday, the 22nd day of July 2020/31st Ashadha, 1942

WP(C) No. 14187/2020

PETITIONER

1. RAMYA A.K.,, AGED 26 YEARS
D/O. KRISHNANKUTTY, ACHARATH HOUSE, KALLIYODE, KARIMBA P O, PALAKKAD
DISTRICT-678597.
2. MAJO C.J., AGED 26 YEARS
S/O. JOHNY C.T, CHITTILLAPILLY HOUSE, ADAT P O, THRISSUR DISTRICT-
680551.
3. VISHNU P NAIR, AGED 29 YEARS
S/O. PRABHAKARAN NAIR, MIDANOORKONAM, KATTACHALKUZHI P O, BALARAMAPURAM,
THIRUVANANTHAPURAM DISTRICT-695501.

RESPONDENTS

1. HIGH COURT OF KERALA
REPRESENTED BY REGISTRAR (SUBORDINATE JUDICIARY), HIGH COURT OF KERALA,
HIGH COURT, ROAD, MARINE DRIVE ROAD, KOCHI-682031.
2. STATE OF KERALA,
REPRESENTED BY SECRETARY, MINISTRY OF LAW, SECRETARIAT,
THIRUVANANTHAPURAM-695001.
3. STATE OF KERALA,
REPRESENTED BY SECRETARY, MINISTRY OF PERSONNEL AND ADMINISTRATIVE
REFORMS(RULES) DEPARTMENT, NORTH BLOCK, SECRETARIAT, THIRUVANANTHAPURAM-
695001.
4. STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY, GOVERNMENT SECRETARIAT, PALAYAM
JUNCTION, THIRUVANANTHAPURAM DISTRICT-695001.

Writ Petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to stay the operation of Ext P1 notification issued by the 1st respondent, pending consideration of this writ petition .

This petition coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S C.DHEERAJ RAJAN, Advocate for the petitioner and of M/S SENIOR GOVERNMENT PLEADER, for R2 to R4 and of Sri.Ganesh for R1, the court passed the following:

C.S. DIAS, J.

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Dated this the 22nd day of July, 2020.

ORDER

This writ petition came up for admission on 14.7.2020. In view of the urgency that was projected by the learned counsel for the petitioners, that the last date for closure of step one process in Ext P1 notification is 22.7.2020, this Court ordered urgent notice by speed post to the first respondent - High Court of Kerala represented by Registrar (Subordinate Judiciary). The learned Senior Government Pleader took notice for the respondents 2 to 4. The case was posted to 21.7.2020.

2. On 21.7.2020, when this writ petition came up for admission, the endorsement in the office notes showed that the service of notice was completed on the first respondent, on 16.7.2020. However, Sri.Ganesh, the learned Counsel representing Sri.Elvin Peter submitted that the first respondent has not received notice and the endorsement made in the office notes was incorrect. In the

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said circumstances, I permitted the learned counsel for the petitioners to serve a copy of this writ petition directly on the first respondent and file a memo to the effect. The writ petition was posted to today.

3. Today, when the case was taken up, Sri.Ganesh, the learned Counsel representing Sri.Elvin Peter again submitted that the first respondent has not received the notice. But, the learned counsel appearing for the petitioners has filed a memo to the effect that the copy of the writ petition was served on the first respondent on 21.7.2020. The memo bears the signature of the first respondent .

4. The stand taken by the first respondent cannot be accepted by this Court, in view of the endorsement made by the Registry in the office notes that the service to the first respondent was completed on 16.7.2020, in addition to the memo filed by the learned counsel for the petitioners. I accept the endorsement made by the Registry, and declare that service of notice is complete on

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the first respondent.

5. On going through the averments in the writ petition and after hearing the learned counsel for the petitioners, and also since there is no instructions forthcoming from the first respondent, on being prima facie satisfied that the first respondent is going ahead with Ext P1 notification excluding economic weaker sections from the zone of reservation and that the last date for closure of step one process is today i.e., 22.7.2020, I deem it appropriate to stay the last date of closure of step one process till the date of next hearing. The respondents may file their statement/counter affidavit, if any, before the date of next hearing.

Post this writ petition on 4.8.2020.

sks/22.7.2020

Sd/- C.S.DIAS, JUDGE

/true copy/

ASSISTANT REGISTRAR

Handwritten signature and date:
sks/22.7.2020