



2024:KER:73929

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

&

THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR

FRIDAY, THE 4TH DAY OF OCTOBER 2024 / 12TH ASWINA, 1946

O.P.(KAT) NO. 349 OF 2024

AGAINST THE ORDER DATED 29.07.2024 IN OA NO.2340 OF 2023 OF
THE KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONER/APPLICANT:

ANGEL MARY J. N.
AGED 30 YEARS
W/O ALEX JOSEPH, NURSING OFFICER, GOVERNMENT
MEDICAL COLLEGE HOSPITAL, THIRUVANTHAPURAM,
RESIDING AT AGRIMA 2, VADAKKUMBHAGAM,
ERAVIPURAM,P.O KOLLAM, PIN - 691011.

BY ADVS.
JOHNSON GOMEZ
ANN MARIA JOHNSON
SANJAY JOHNSON
JOHN GOMEZ
ARUN JOHNY
DEEBU R.
ABIN JACOB MATHEW
SANJITH JOHNSON
SARAN A.



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O.P.(KAT) Nos.349, 355 & 367 of 2024

RESPONDENTS/RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY PRINCIPAL SECRETARY TO
GOVERNMENT, HEALTH AND FAMILY WELFARE DEPARTMENT,
SECRETARIAT, THIRUVANTHAPURAM, PIN - 682031.
- 2 THE DIRECTOR
DIRECTORATE OF MEDICAL EDUCATION (DME), MEDICAL
COLLEGE THIRUVANTHAPURAM, PIN - 695011.
- 3 THE KERALA PUBLIC SERVICE COMMISSION,
REPRESENTED BY ITYS SECRETARY, KPSC OFFICE,
PATTOM PALACE, THIRUVANTHAPURAM, PIN - 695033.

BY SRI. B. UNNIKRISHNA KAIMAL, SR. GP
SHRI.P.C.SASIDHARAN, SC, KPSC

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME
UP FOR FINAL HEARING ON 04.09.2024, ALONG WITH
OP(KAT) .355/2024, 367/2024, THE COURT ON 04.10.2024
DELIVERED THE FOLLOWING:



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O.P.(KAT) Nos.349, 355 & 367 of 2024

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

&

THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR

FRIDAY, THE 4TH DAY OF OCTOBER 2024 / 12TH ASWINA, 1946

O.P. (KAT) NO. 355 OF 2024

AGAINST THE ORDER DATED 29.07.2024 IN OA NO.2321 OF 2023 OF

THE KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/APPLICANTS 1 TO 4:

- 1 RESHMI R NAIR
AGED 36 YEARS
D/O RAVEENDRAN NAIR N. K. WORKING AS NURSING
OFFICER, HEALTH & FAMILY WELFARE DEPARTMENT,
INSTITUTE OF CHEST DISEASES, GOVERNMENT MEDICAL
COLLEGE, KOZHIKODE-673008, RESIDING AT SREEKRIPA,
ADIYOTTIL, MAYANAD P. O., KOZHIKODE,
PIN - 673008.
- 2 GEETHU K.
AGED 37 YEARS
W/O SIVAKUMAR G., WORKING AS NURSING OFFICER,
HEALTH & FAMILY WELFARE DEPARTMENT, SREE AVITOM
THIRUNAL HOSPITAL, THIRUVANANTHAPURAM -695011,
RESIDING AT MANOJ BHAVAN, NEDUVILAKKARA, MAYYANAD
P. O., KOLLAM, PIN - 691304.
- 3 MINU MARY JOHN
AGED 35 YEARS
W/O ISSAC GEORGE. WORKING AS NURSING OFFICER,
HEALTH & FAMILY WELFARE DEPARTMENT., GOVERNMENT
TDMCH VANDANAM, ALAPPUZHA-688005, RESIDING AT
KULATHINGAL HOUSE NELLIMOODU, KULATHUPUZHA P.O.,
KOLLAM, PIN - 691310.



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O.P.(KAT) Nos.349, 355 & 367 of 2024

4 NINU V.
AGED 32 YEARS
W/O BIMAL K. L., WORKING AS NURSING OFFICER,
HEALTH & FAMILY WELFARE DEPARTMENT, INSTITUTE OF
MATERNAL AND CHILD HEALTH HOSPITAL, GOVERNMENT
MEDICAL COLLEGE, KOZHIKODE - 673008, RESIDING AT
ANAMIKA KSHB COLONY, KOZHIKODE, PIN - 673008.

BY ADVS.
JOHNSON GOMEZ
SANJAY JOHNSON
JOHN GOMEZ
ARUN JOHNY
ABIN JACOB MATHEW
DEEBU R.
SANJITH JOHNSON
SARAN A.

RESPONDENTS/RESPONDENTS 1 TO 3 AND APPLICANTS 5 & 6:

- 1 STATE OF KERALA
HEALTH AND FAMILY WELFARE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 682031.
- 2 THE DIRECTOR, DIRECTORATE OF MEDICAL EDUCATION
(DME)
MEDICAL COLLEGE, THIRUVANANTHAPURAM, PIN - 695011
- 3 THE KERALA PUBLIC SERVICE COMMISSION REPRESENTED
BY ITS SECRETARY, KPSC OFFICE, PATTOM PALACE,
THIRUVANANTHAPURAM, PIN - 695033.
- 4 KRIPA K. K.
AGED 42 YEARS, W/O BENOY K. S., WORKING AS
NURSING OFFICER, HEALTH & FAMILY WELFARE
DEPARTMENT, GOVERNMENT MENTAL HEALTH CENTRE,
THRISSUR, RESIDING AT KANGAPARAMBIL HOUSE
MINALLOOR P.O., THRISSUR, PIN - 680581.
- 5 SAMEERA T. A.
AGED 33 YEARS, W/O NAWAF M. V., WORKING AS
NURSING OFFICER, HEALTH & FAMILY WELFARE
DEPARTMENT, GOVERNMENT MENTAL HEALTH CENTRE,
KUTHIRAVATTOM P.O., KOZHIKODE-673016, RESIDING AT
MELVEETIL HOUSE, CHENNAMANGALLUR P.O, MUKKOM VIA,
MALAPPURAM, 673016, PIN - 673016.



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O.P.(KAT) Nos.349, 355 & 367 of 2024

BY SRI. B. UNNIKRISHNA KAIMAL, SR. GP
SHRI.P.C.SASIDHARAN, SC, KPSC

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME
UP FOR FINAL HEARING ON 12.09.2024, THE COURT ON
04.10.2024 DELIVERED THE FOLLOWING:



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O.P.(KAT) Nos.349, 355 & 367 of 2024

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

&

THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR

FRIDAY, THE 4TH DAY OF OCTOBER 2024 / 12TH ASWINA, 1946

O.P. (KAT) NO. 367 OF 2024

AGAINST THE ORDER DATED 29.07.2024 IN OA NO.2321 OF 2023 OF

THE KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONER/APPLICANT NO.5:

KRIPA K. K.
AGED 42 YEARS
W/O BENOY K. S., WORKING AS NURSING OFFICER,
HEALTH & FAMILY WELFARE DEPARTMENT, GOVERNMENT
MENTAL HEALTH CENTRE, THRISSUR, RESIDING AT
KANGAPARAMBIL HOUSE MINALLOOR P.O., THRISSUR,
PIN - 680581.

BY ADV P.RAVEENDRAN

RESPONDENTS/RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY PRINCIPAL SECRETARY TO
GOVERNMENT, HEALTH AND FAMILY WELFARE
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM,
PIN - 682031.
- 2 THE DIRECTOR, DIRECTORATE OF MEDICAL EDUCATION
(DME), MEDICAL COLLEGE, THIRUVANANTHAPURAM,
PIN - 695011.
- 3 THE KERALA PUBLIC SERVICE COMMISSION
REPRESENTED BY ITS SECRETARY, KPSC OFFICE, PATTOM
PALACE, THIRUVANANTHAPURAM, PIN - 695033.



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O.P.(KAT) Nos.349, 355 & 367 of 2024

- 4 RESHMI R NAIR,
AGED 36 YEARS, D/O RAVEENDRAN NAIR N. K. WORKING
AS NURSING OFFICER, HEALTH & FAMILY WELFARE
DEPARTMENT, INSTITUTE OF CHEST DISEASES,
GOVERNMENT MEDICAL COLLEGE, KOZHIKODE-673008,
RESIDING AT SREEKRIPA, ADIYOTTIL, MAYANAD P. O.,
KOZHIKODE, PIN - 673008.
- 5 GEETHU K.,
AGED 37 YEARS, W/O SIVAKUMAR G., WORKING AS
NURSING OFFICER, HEALTH & FAMILY WELFARE
DEPARTMENT, SREE AVITOM THIRUNAL HOSPITAL,
THIRUVANANTHAPURAM -695011, RESIDING AT MANOJ
BHAVAN, NEDUVILAKKARA, MAYYANAD P O, KOLLAM,
PIN - 691304.
- 6 MINU MARY JOHN,
AGED 35 YEARS, W/O ISSAC GEORGE. WORKING AS
NURSING OFFICER, HEALTH & FAMILY WELFARE
DEPARTMENT, GOVERNMENT TDMCH VANDANAM, ALAPPUZHA-
688005, RESIDING AT KULATHINGAL HOUSE NELLIMOODU,
KULATHUPUZHA P.O., KOLLAM, PIN - 691310.
- 7 NINU V
AGED 32 YEARS, W/O BIMAL K. L., WORKING AS
NURSING OFFICER, HEALTH & FAMILY WELFARE
DEPARTMENT, INSTITUTE OF MATERNAL AND CHILD
HEALTH HOSPITAL, GOVERNMENT MEDICAL COLLEGE,
KOZHIKODE - 673008, RESIDING AT ANAMIKA KSHB
COLONY, KOZHIKODE, PIN - 673008.
- 8 SAMEERA T. A.
AGED 33 YEARS, W/O NAWAF M. V., WORKING AS
NURSING OFFICER, HEALTH & FAMILY WELFARE
DEPARTMENT, GOVERNMENT MENTAL HEALTH CENTRE,
KUTHIRAVATTOM P.O., KOZHIKODE-673016, RESIDING AT
MELVEETIL HOUSE, CHENNAMANGALLUR P.O, MUKKOM VIA,
MALAPPURAM, PIN - 673016.

BY SRI. B. UNNIKRISHNA KAIMAL, SR. GP
SHRI.P.C.SASIDHARAN, SC, KPSC

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME
UP FOR FINAL HEARING ON 12.09.2024, ALONG WITH
OP(KAT).349/2024 AND CONNECTED CASES, THE COURT ON
04.10.2024 DELIVERED THE FOLLOWING:



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O.P.(KAT) Nos.349, 355 & 367 of 2024

ANIL K. NARENDRAN & P.G. AJITHKUMAR, JJ.

O.P.(KAT) Nos.349, 355 & 367 of 2024

Dated this the 4th day of October, 2024

COMMON JUDGMENT

P.G.Ajithkumar, J.

O.P.(KAT) No.349 of 2024 was finally heard on 04.09.2024 and O.P.(KAT) Nos.355 and 367 of 2024 were finally heard on 12.09.2024. Since a common order of the Kerala Administrative Tribunal, Thiruvananthpauram is under challenge and the questions involved are similar, these original petitions are disposed of by this common judgment.

2. Applicant in O.A.No.2340 of 2023 before the Kerala Administrative Tribunal is the petitioner in O.P.(KAT) No.349/2024. Applicant Nos.1 to 4 in O.A. No.2321 of 2023 filed O.P.(KAT) No.355/2023. Applicant No.5 in O.A. No.2321 of 2023 filed O.P.(KAT) No.367 of 2024. Both original applications were considered together by the Tribunal. As per the common order dated 29.07.2024 the original applications were dismissed. The petitioners challenge the said order in these original petitions filed under Article 227 of the Constitution of India.



3. Kerala Public Service Commission invited applications for appointment to the post of Assistant Professor in Nursing in the Medical Education Department by transfer as per Annexure A1 notification. The petitioners are working in the feeder category. They submitted applications in both streams; for appointment by transfer and direct appointment. Their candidature for appointment by transfer was rejected for the reason that they were not declared probationers. They questioned the decisions of the Kerala Public Service Commission rejecting their candidature in the respective original applications. The Tribunal held that candidates whose probation was declared alone were eligible to apply. The petitioners assail the said view taken by the Tribunal in these original petitions.

4. Heard the learned counsel appearing for the petitioners in the respective petitions, the learned Senior Government Pleader and the Standing Counsel for the Kerala Public Service Commission.

5. The contention of the petitioners before the Tribunal was that they were qualified to apply for by transfer appointment to the post of Assistant Professor in Nursing, since they already had put in one year service in the feeder category. The law laid



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down by this Court in **Sreejith K.K. v. Vinod [2019 (1) KHC 261]** is relied on to fortify their contention that declaration of probation or to be a full member of the service is not a prescribed qualification. It is contended that the qualification prescribed in Annexure A10 Government Order for by transfer appointment is only one year service and hence, the view taken by the Kerala Public Service Commission is incorrect.

6. The learned Senior Government Pleader and also the learned Standing Counsel for the Kerala Public Service Commission would point out that the view taken by this court in O.P.(KAT) No.255 of 2014 on the above aspect is the law applicable and hence candidates qualified in terms of the definition of "recruitment by transfer" contained in Rule 2(13) in Part II of Kerala State and Subordinate Service Rules, 1958 (KS&SSR) alone are eligible to apply.

7. A further contention raised by the learned counsel for the petitioner in O.P.No.367 of 2024 is based on Rule 2 in Part II of KS&SSR. That the qualification prescribed in Annexure A10 special rules cannot be qualified or exemplified by the general provisions contained in Rule 2(13) in Part I of KS&SSR. It is submitted that the doctrine 'generalia specialibus non derogant'



O.P.(KAT) Nos.349, 355 & 367 of 2024

does not allow to resort to the general provision in Rule 2(13) in disregard of the specific and categoric provision contained in Annexure A10. It is accordingly contended that inasmuch as the qualification prescribed is only one year service in the post, insisting that probation should have been declared in that post is wrong and against the law laid down in **Sreejith [2019 (1) KHC 261]**.

8. Advocate Sri. Johnson Gomez, raised more fundamental contentions that when the qualification was fixed by the department in consultation with the Kerala Public Service Commission as is provided in Article 320(3) of the Constitution of India, the Commission cannot explain the qualification so as to bring a different meaning to it. Any such attempt by the Commission would be ultravires the said provision and also beyond the scope of the duties of the Commission as enunciated in Article 323(2) of the Constitution of India.

9. Another contention raised by the learned counsel for the petitioners is that on earlier occasions declaration of probation in the feeder category was not insisted as a requirement and for that reason also Commission went wrong in rejecting the candidature of the petitioners.



10. Qualification for appointment to the post of Assistant Professor in Nursing by transfer is as prescribed in Annexure A10. The dispute is only regarding the third parameter that the in-service candidates having active service for a period of one year alone shall be eligible for appointment by transfer. The view taken by the Commission is that the candidates should be declared probationer/full time member of service. Rule 2(13) in Part I of the KS&SSR was pressed into service in that regard.

11. Recruitment by Transfer is defined in Rule 2(13) which reads:

"(13) A candidate is said to be "recruited by transfer" to a service,-

(i) if his appointment to the service is in accordance with the orders issued or rules prescribed for recruitment by transfer to the service;and

(ii) if at the time of his first appointment thereto-

(a)he is either a full member or an approved probationer in any other service, the rules for which prescribed a period of probation for members thereof:

Provided that where the Special Rules for a service provide for recruitment by transfer to any class or category thereof from any specified class or category of another service, a candidate shall, unless the recruitment is made from a post carrying an identical



scale of pay, be a full member or an approved probationer in the class or category so specified; or
(b) he is the holder of a post in any other service for which no probation has been prescribed and has put in satisfactory service in that post for a period of two years on duty within a continuous period of three years."

12. A plain reading of the said definition, especially clause (ii) of Sub-Rule 2(13), indicates that a full member or an approved probationer in the other service shall alone be eligible if the appointment is in accordance with the order issued or Rules prescribed in that regard.

13. In **Sreejith [2019 (1) KHC 261]** a Division Bench of this Court considered a similar question. Appointment by transfer to the post of fingerprint searchers in Fingerprint Bureau in the Police Department was in question. The categories come within the zone of consideration were members of the Ministerial Subordinate Service of the Police Department and Vigilance Department. That category of employees comprises various posts namely, LD Clerk, UD Clerk, Head Clerk, etc. The Division Bench considered following aspects to answer the question:

1. Members of the ministerial service in different departments, namely, Police and Vigilance Departments could apply.



2. The field of choice takes in different categories of employees from different departments.
3. Members of such different feeder categories were not performing any duty having a connection with duties to be performed by fingerprint searchers.
4. Feeder categories include posts having no period of probation.

14. The Division Bench taking into account those and other factors held that the categories of applicants clearly come within the definition of member of the service as defined in Rule 2(9) of the KS&SSR, and therefore there is no scope for imputing a different meaning to it by resorting to the definition contained in Rule 2(13) of the KS&SSR. Also, it was held that such an attempt was impermissible in view of the definite provisions contained in the Special Rules. Rule 2 Part II of the KS&SSR was placed reliance on to hold that the Special Rules shall have to hold the field. It was observed that the intention of the Special Rules was clear and the same was carried in the notification inviting applications, and hence a different interpretation could not be brought in view of the law laid down by the Apex Court in **Reserve Bank of India v. Peerless Company [(1987) 1 SCC 424]**. The Division bench accordingly held in **Sreejith [2019 (1) KHC 261]** that the term 'members of service' used in the



O.P.(KAT) Nos.349, 355 & 367 of 2024

Special Rules as well as the notification did not enable the Commission to confine the field of choice among declared probationers or full members of the categories of employees mentioned in the notification.

15. Another Division Bench considered this question in **Riju K. v. The Controller, Legal Metrology** [O.P.(KAT) No.255 of 2014 judgment dated 12.08.2014]. The question was concerning qualification for the appointment to the post of Inspecting Assistant in the Legal Metrology Department. That was also a recruitment by transfer. Last grade employees in the Legal Metrology Department were the candidates eligible to apply. The question arose was whether the candidates should be full members or declared probationers. The Division Bench took the view that Rule 2(13) of Part I of the KS&SSR permits approved probationers alone to apply for appointment.

16. In **Sreejith [2019 (1) KHC 261]** the feeder category comprised various posts in two different departments. The Special Rule specifically mentions that the members of Ministerial Service in the Police and Vigilance Departments were the candidates qualified to apply. As against the said stipulation in **Riju K.** (supra) by transfer recruitment to the post of



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inspecting assistant in the Legal Metrology Department was from the last grade employees in the same department. When the feeder category was thus specified in the Special Rules to be the persons holding subordinate posts in the same department, the position is clear; Rule 2(13) of Part I of the KS&SSR has application.

17. Those who are working as Nursing Superintendent/Sister Tutors/Head Nurse/Staff Nurse in the College of Nursing or Health Services Department alone are eligible to apply to the post of Assistant Professor (Nursing). Employees who can garner experience in the area alone comprise the feeder category. Therefore the law laid down by this Court in **Riju K.** (supra) is applicable to this case. For the reasons mentioned above we find no conflict between **Sreejith [2019 (1) KHC 261]** and **Riju K.** (supra) also. In the light of the finding we arrived at above, the contention of the petitioners that the provision prescribing qualification in Annexure A10 prevails over Rule 2(13) of Part I of the KS&SSR is not tenable. We find no apparent conflict between the special provision prescribing qualification and Rule 2(13).



O.P.(KAT) Nos.349, 355 & 367 of 2024

18. Coming to the contention that the decision of the Commission allowing those who are full members of the service or declared probationers alone to apply is ultravires the provisions delineating its duties and functions, no much much deliberation is needed. As stated hereinbefore the Commission acted within its powers only while insisting that the candidates should have got their probation declared. Hence, we hold that the contention of the petitioners in that regard does not merit.

Accordingly, we find that the impugned order does not require interference. These petitions are therefore dismissed.

Sd/-

ANIL K. NARENDRAN, JUDGE

Sd/-

P.G. AJITHKUMAR, JUDGE

SMF/dkr

APPENDIX OF OP(KAT) 349/2024

PETITIONER ANNEXURES

- ANNEXURE A1 A TRUE COPY OF THE GAZETTE NOTIFICATION DATED 30-12-2022 FOR CATEGORY 568/2022 ISSUED BY KPSC
- ANNEXURE A2 A TRUE COPY OF THE SHORTLIST SL NO. 89/2023/OLE DATED 16-11-23 FOR CATEGORY 568/22 PUBLISHED BY KPSC
- ANNEXURE A3 A TRUE COPY OF THE RELEVANT PAGES OF SHORT LIST SL. NO. 78/2023/OLE DATED 21-10-23 FOR CATEGORY 567/22
- ANNEXURE A4 A TRUE COPY OF THE ONE TIME VERIFICATION CERTIFICATE ISSUED BY THE RESPONDENT TO THE 1ST APPLICANT DATED 08-11-2023
- ANNEXURE A5 A TRUE COPY OF THE INTERVIEW MEMO NO. GR1A(2)8/2022/KPSC DATED 20-12-2023 ISSUED BY PSC
- ANNEXURE A6 A TRUE COPY OF THE COMMUNICATION FROM THE PSC NO. GR1A/8/2022 KPSC DATED 21-12-2023 ALONG WITH ITS LEGIBLE COPY
- ANNEXURE A7 A TRUE COPY OF THE GAZETTE NOTIFICATION DATED 30-08-2017 CATEGORY 325/2017
- ANNEXURE A8 A TRUE COPY OF THE SERVICE CERTIFICATE ISSUED TO THE APPLICANT BY THE HEAD OF OFFICE DATED 10-01-2023 ALONG WITH ITS LEGIBLE COPY
- ANNEXURE A9 A TRUE COPY OF THE INTERIM ORDER DATED 27-12-2023 IN OA 2321/23 BY THIS HON'BLE TRIBUNAL
- ANNEXURE A9 IN REJOINDER A TRUE COPY OF THE FINAL RANK LIST CATEGORY NO. 568/2022 PUBLISHED ON 21-02-2024



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- ANNEXURE A10 A TRUE COPY OF GO(MS) 95/2002/H&FWD
DATED 24-04-2022
- ANNEXURE A11 A TRUE COPY OF THE NOTIFICATION CATEGORY
325/2017, GAZETTE DATED 30-08-2017 BY
PSC
- ANNEXURE A12 A TRUE COPY OF THE NOTIFICATION CATEGORY
480/2020 GAZETTE DATED 31-12-2020
- ANNEXURE A13 A TRUE COPY OF THE GAZETTE NOTIFICATION
DATED 14-12-2017 FOR CATEGORY 546/17
- ANNEXURE A14 A TRUE COPY OF THE NOTIFICATION DATED
31-12-2022 FOR CATEGORY 724/2022 FOR
CLERK
- ANNEXURE A15 A TRUE COPY OF THE SERVICE CERTIFICATE
OF THE APPLICANT DATED 02-04-2024
VERIFIED BY THE HEAD OF OFFICE
- ANNEXURE R2 (A) A TRUE COPY OF GO(RT)NO.1686/2021/H&FWD
DATED 06-08-2021 ISSUED BY THE FIRST
RESPONDENT
- ANNEXURE R2 (B) A TRUE COPY OF PROCEEDINGS IN ORDER NO.
EN6/26666/2020/GMCT DATED 09-12-2022 OF
THE SENIOR ADMINISTRATIVE OFFICER,
GOVERNMENT MEDICAL COLLEGE,
THIRUVANANTHAPURAM
- ANNEXURE A16 A TRUE COPY OF THE NOTIFICATION DATED
30-12-2009, CAT NO. 445/09 REFERRED IN
WP NO. 12206/2011 FOR THE POST OF
ASSISTANT ENGINEER ISSUED BY KPSC
- ANNEXURE A17 A TRUE COPY OF THE JUDGMENT DATED 01-09-
2011 IN WP NO. 12206/2011 BY THE HON'BLE
HIGH COURT OF KERALA
- ANNEXURE A18 A TRUE COPY OF THE NOTIFICATION DATED
29-11-2011, CAT NO. 415/2011, REFERRED
IN WP NO. 28317/2016 ASSISTANT ENGINEER
ISSUED BY KPSC



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O.P.(KAT) Nos.349, 355 & 367 of 2024

- EXHIBIT P1 A TRUE COPY OF THE OA NO. 2340/2023
ALONG WITH ANNEXURES A1 TO A9 FILED
BEFORE KAT DATED 28-12-2023
- EXHIBIT P2 A TRUE COPY OF THE REPLY STATEMENT OF
RESPONDENT NO. 3 DATED 20-05-2024
- EXHIBIT P3 A TRUE COPY OF THE REJOINDER ALONG WITH
ANNEXURES A9 (IN REJOINDER) TO A15 FILED
BY THE PETITIONER TO THE REPLY STATEMENT
FILED BY THE RESPONDENT NO. 3 ON 22-05-
2024
- EXHIBIT P4 A TRUE COPY OF THE REPLY STATEMENT ALONG
WITH ANNEXURE R2(A) AND R2(B) FILED BY
RESPONDENT NO. 2 DATED 10-06-2024 IS
PRODUCED HERewith AND MARKED AS EXHIBIT
P4.
- EXHIBIT P5 A TRUE COPY OF THE REJOINDER FILED BY
THE PETITIONER DATED 20-06-2024, TO THE
REPLY STATEMENT FILED BY THE RESPONDENT
NO. 2
- EXHIBIT P6 A TRUE COPY OF THE ADDITIONAL REJOINDER
ALONG WITH ANNEXURE A16 TO 18 FILED BY
THE PETITIONER DATED 22-07-2024 TO THE
REPLY STATEMENT FILED BY THE RESPONDENT
NO. 2
- EXHIBIT P7 A TRUE COPY OF THE INTERIM ORDER DATED
03-01-2024 IN OA NO. 2340/2023 PASSED BY
THE KERALA ADMINISTRATIVE TRIBUNAL
THIRUVANANTHAPURAM
- EXHIBIT P8 A TRUE COPY OF THE COMMON ORDER DATED
29-07-2024 IN OA NO. 2340/2023 AND OA
2321/2023 PASSED BY THE KERALA
ADMINISTRATIVE TRIBUNAL
THIRUVANANTHAPURAM
- EXHIBIT P9 A TRUE COPY OF THE LETTER NO.
K2/971856/2024 DATED 19-08-2024 ISSUED
BY RESPONDENT NO. 2

APPENDIX OF OP(KAT) 355/2024

PETITIONER ANNEXURES

- ANNEXURE A1 A TRUE COPY OF THE GAZETTE NOTIFICATION DATED 30.12.22 FOR CATEGORY 568/2022 ISSUED BY THE KPSC
- ANNEXURE A2 A TRUE COPY OF THE SHORTLIST SL NO.89/2023/OLE DATED 16.11.23 FOR CATEGORY 568/22 PUBLISHED BY THE KPSC
- ANNEXURE A3 A TRUE COPY OF THE RELEVANT PAGES OF SHORT LIST SL NO.78/2023/OLE DATED 21.10.23 FOR CATEGORY 567/22 PUBLISHED BY THE KPSC.
- ANNEXURE A4 A TRUE COPY OF THE ONE TIME VERIFICATION CERTIFICATE ISSUED ON THE FOURTH RESPONDENT TO THE 1ST APPLICANT DATED 2.11.23.
- ANNEXURE A5 A TRUE COPY OF THE ONE TIME VERIFICATION CERTIFICATE ISSUED ON BEHALF OF THE FOURTH RESPONDENT TO THE 2ND APPLICANT DATED 27.11.2023
- ANNEXURE A6 A TRUE COPY OF THE ONE TIME VERIFICATION CERTIFICATE ISSUED ON BEHALF OF THE FOURTH RESPONDENT TO THE 3RD APPLICANT DATED 27.11.2023
- ANNEXURE A7 A TRUE COPY OF THE ONE TIME VERIFICATION CERTIFICATE ISSUED BY THE FOURTH RESPONDENT TO THE 4TH APPLICANT DATED 4.11.23
- ANNEXURE A8 A TRUE COPY OF THE ONE TIME VERIFICATION CERTIFICATE ISSUED BY FOURTH RESPONDENT TO THE 5TH APPLICANT DATED 3.11.23
- ANNEXURE A9 A TRUE COPY OF THE ONE TIME VERIFICATION CERTIFICATE ISSUED BY THE FOURTH RESPONDENT TO THE 6TH APPLICANT DATED 3.11.23



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- ANNEXURE A10 A TRUE COPY OF THE 'REJECTION STATUS' OF THE 1ST APPLICANT DOWNLOADED FROM THE PSC WEBSITE
- ANNEXURE A11 A TRUE COPY OF THE 'REJECTION STATUS' OF THE 2ND APPLICANT DOWNLOADED FROM THE PSC WEBSITE
- ANNEXURE A12 A TRUE COPY OF THE 'REJECTION STATUS OF THE 3RD APPLICANT DOWNLOADED FROM THE PSC WEBSITE
- ANNEXURE A13 A TRUE COPY OF THE INTERVIEW CARDS DOWNLOADED FROM THE PSC WEBSITE BY THE 4TH APPLICANT
- ANNEXURE A14 A TRUE COPY OF THE INTERVIEW CARDS DOWNLOADED FROM THE PSC WEBSITE BY THE 5TH APPLICANT
- ANNEXURE A15 A TRUE COPY OF THE INTERVIEW CARDS DOWNLOADED FROM THE PSC WEBSITE BY THE 6TH APPLICANT
- ANNEXURE A16 A TRUE COPY OF THE GAZETTE NOTIFICATION DATED 30.8.17 CATEGORY 325/2017 FOR BY TRANSFER RECRUITMENT TO THE POST OF ASSISTANT PROFESSOR NURSING ISSUED BY KPSC
- ANNEXURE A17 A TRUE COPY OF THE ORDER NO J1/6657/2023/DME DATED 18.12.2023 BY THE SECOND RESPONDENT
- ANNEXURE A18 A TRUE COPY OF THE FINAL RANK LIST CATEGORY NO. 568/2022 PUBLISHED ON 21.02.2024
- ANNEXURE A19 A TRUE COPY OF GO (MS) 95/2002/H&FWD DATED 24.04.2002
- ANNEXURE A20 A TRUE COPY OF THE SERVICE CERTIFICATE OF THE FIRST APPLICANT DATED 21.12.23
- ANNEXURE A21 A TRUE COPY OF THE PROBATION OF THE SECOND APPLICANT NO. J16323/2023/DME DATED 29.12.23



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- ANNEXURE A22 A TRUE COPY OF SERVICE CERTIFICATE OF THE SECOND APPLICANT DATED 20.01.23
- ANNEXURE A23 A TRUE COPY OF THE REGULARISATION CERTIFICATE NO. J/3512/2019/DME(2) DATED 30.11.23 OF THE THIRD APPLICANT
- ANNEXURE A24 A TRUE COPY OF THE SERVICE CERTIFICATE OF THE THIRD APPLICANT DATED 22.08.23
- ANNEXURE A25 A TRUE COPY OF THE PROBATION OF THE FOURTH APPLICANT NO. J1/7172/2023/DME DATED 26.12.23
- ANNEXURE A26 A TRUE COPY OF THE SERVICE CERTIFICATE OF THE FOURTH APPLICANT DATED 20.01.2023
- ANNEXURE A27 A TRUE COPY OF THE COMMUNICATION NO. A3-11/2023 FROM THE HOSPITAL TO THE DMO, THRISSUR FOR REGULARIZATION OF THE FIFTH APPLICANTS SERVICE.
- ANNEXURE A28 A TRUE COPY OF THE SERVICE CERTIFICATE OF THE FIFTH APPLICANT DATED 26.07.2023
- ANNEXURE A29 A TRUE COPY OF THE NOTIFICATION DATED 30.12.2009, FOR CAT NO. 445/2009, REFERRED IN WP NO.12206/2011 FOR THE POST OF ASSISTANT ENGINEER ISSUED BY KPSC
- ANNEXURE A30 A TRUE COPY OF THE JUDGMENT DATED 01.09.2011 IN WP NO. 12206/2011 BY THE HON'BLE HIGH COURT OF KERALA
- ANNEXURE A31 A TRUE COPY OF THE NOTIFICATION DATED 29.11.2011 FOR CAT NO. 415/2011, REFERRED IN WP NO. 28317/2016 ASSISTANT ENGINEER ISSUED BY KPSC.
- ANNEXURE A32 A TRUE COPY OF THE JUDGMENT DATED 28.03.2017 IN WP NO. 28317/2016 BY THE HON'BLE HIGH COURT OF KERALA
- EXHIBIT P1 A TRUE COPY OF THE OA NO. 2321/2023 ALONG WITH ANNEXURES A1 TO A17 FILED BEFORE KAT DATED 25-12-2023



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- EXHIBIT P2 A TRUE COPY OF THE INTERIM ORDER IN OA 2321/2023 DATED 27-12-2023 PASSED BY THE HON'BLE KERALA ADMINISTRATIVE TRIBUNAL
- EXHIBIT P3 A TRUE COPY OF THE REPLY STATEMENT OF RESPONDENT NO. 3 DATED 20-05-2024
- EXHIBIT P4 A TRUE COPY OF THE REJOINDER ALONG WITH ANNEXURES A18 TO A28 FILED BY THE PETITIONER TO THE REPLY STATEMENT FILED BY THE RESPONDENT NO. 3 ON 22-05-2024
- EXHIBIT P5 A TRUE COPY OF THE REPLY STATEMENT FILED BY RESPONDENT NO. 2 DATED 10-06-2024
- EXHIBIT P6 A TRUE COPY OF THE ADDITIONAL REPLY STATEMENT FILED BY RESPONDENT NO. 2 DATED 12-06-2024
- EXHIBIT P7 A TRUE COPY OF THE REJOINDER ALONG WITH ANNEXURE A29 TO A32 FILED BY THE PETITIONER, DATED 22-07-2024, TO THE REPLY STATEMENTS FILED BY THE RESPONDENT NO. 2
- EXHIBIT P8 A TRUE COPY OF THE COMMON ORDER DATED 29-07-2024 IN OA NO. 2340/2023 AND OA 2321/2023 PASSED BY THE KERALA ADMINISTRATIVE TRIBUNAL THIRUVANANTHAPURAM
- EXHIBIT P9 A TRUE COPY OF THE LETTER NO. K2/971856/2024 DATED 19-08-2024 ISSUED BY RESPONDENT NO. 2

APPENDIX OF OP(KAT) 367/2024

PETITIONER ANNEXURES

- ANNEXURE A1 A TRUE COPY OF THE GAZETTE NOTIFICATION DATED 30.12.22 FOR CATEGORY 568/2022 ISSUED BY THE KPSC
- ANNEXURE A2 A TRUE COPY OF THE SHORTLIST SL NO.89/2023/OLE DATED 16.11.23 FOR CATEGORY 568/22 PUBLISHED BY THE KPSC
- ANNEXURE A3 A TRUE COPY OF THE RELEVANT PAGES OF SHORT LIST SL NO.78/2023/OLE DATED 21.10.23 FOR CATEGORY 567/22 PUBLISHED BY THE KPSC
- ANNEXURE A4 A TRUE COPY OF THE ONE TIME VERIFICATION CERTIFICATE ISSUED ON THE FOURTH RESPONDENT TO THE 1ST APPLICANT DATED 2.11.23
- ANNEXURE A5 A TRUE COPY OF THE ONE TIME VERIFICATION CERTIFICATE ISSUED ON BEHALF OF THE FOURTH RESPONDENT TO THE 2ND APPLICANT DATED 27-11-2023
- ANNEXURE A6 A TRUE COPY OF THE ONE TIME VERIFICATION CERTIFICATE ISSUED ON BEHALF OF THE FOURTH RESPONDENT TO THE 3RD APPLICANT DATED 27.11.2023
- ANNEXURE A7 A TRUE COPY OF THE ONE TIME VERIFICATION CERTIFICATE ISSUED BY THE FOURTH RESPONDENT TO THE 4TH APPLICANT DATED 4.11.23
- ANNEXURE A8 A TRUE COPY OF THE ONE TIME VERIFICATION CERTIFICATE ISSUED BY FOURTH RESPONDENT TO THE 5TH APPLICANT DATED 3.11.23
- ANNEXURE A9 A TRUE COPY OF THE ONE TIME VERIFICATION CERTIFICATE ISSUED BY THE FOURTH RESPONDENT TO THE 6TH APPLICANT DATED 3.11.23



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- ANNEXURE A13 A TRUE COPY OF THE INTERVIEW CARDS DOWNLOADED FROM THE PSC WEBSITE BY THE 4TH APPLICANT
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- ANNEXURE A17 A TRUE COPY OF THE ORDER NO J1/6657/2023/DME DATED 18.12.2023 BY THE SECOND RESPONDENT
- ANNEXURE A18 A TRUE COPY OF THE FINAL RANK LIST CATEGORY NO. 568/2022 PUBLISHED ON 21.02.2024
- ANNEXURE A19 A TRUE COPY OF GO (MS) 95/2002/H&FWD DATED 24.04.2002
- ANNEXURE A20 A TRUE COPY OF THE SERVICE CERTIFICATE OF THE FIRST APPLICANT DATED 21.12.23



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- ANNEXURE A21 A TRUE COPY OF THE PROBATION OF THE SECOND APPLICANT NO. J16323/2023/DME DATED 29.12.23
- ANNEXURE A22 A TRUE COPY OF SERVICE CERTIFICATE OF THE SECOND APPLICANT DATED 20.01.23
- ANNEXURE A23 A TRUE COPY OF THE REGULARISATION CERTIFICATE NO. J/3512/2019/DME(2) DATED 30.11.23 OF THE THIRD APPLICANT
- ANNEXURE A24 A TRUE COPY OF THE SERVICE CERTIFICATE OF THE THIRD APPLICANT DATED 22.08.23
- ANNEXURE A25 A TRUE COPY OF THE PROBATION OF THE FOURTH APPLICANT NO. J1/7172/2023/DME DATED 26.12.23
- ANNEXURE A26 A TRUE COPY OF THE SERVICE CERTIFICATE OF THE FOURTH APPLICANT DATED 20.01.2023
- ANNEXURE A27 A TRUE COPY OF THE COMMUNICATION NO. A3-11/2023 FROM THE HOSPITAL TO THE DMO, THRISSUR FOR REGULARIZATION OF THE FIFTH APPLICANT'S SERVICE.
- ANNEXURE A28 A TRUE COPY OF THE SERVICE CERTIFICATE OF THE FIFTH APPLICANT DATED 26.07.2023
- ANNEXURE A29 A TRUE COPY OF THE NOTIFICATION DATED 30.12.2009, FOR CAT NO. 445/2009, REFERRED IN WP NO.12206/2011 FOR THE POST OF ASSISTANT ENGINEER ISSUED BY KPSC
- ANNEXURE A30 A TRUE COPY OF THE JUDGMENT DATED 01.09.2011 IN WP NO. 12206/2011 BY THE HON'BLE HIGH COURT OF KERALA
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- EXHIBIT P1 A TRUE COPY OF THE OA NO. 2321/2023
ALONG WITH ANNEXURES A1 TO A17 FILED
BEFORE KAT DATED 25-12-2023
- EXHIBIT P2 A TRUE COPY OF THE INTERIM ORDER IN OA
2321/2023 DATED 27-12-2023 PASSED BY THE
HON'BLE KERALA ADMINISTRATIVE TRIBUNAL
- EXHIBIT P3 A TRUE COPY OF THE REPLY STATEMENT OF
RESPONDENT NO. 3 DATED 20-05-2024
- EXHIBIT P4 A TRUE COPY OF THE REJOINDER ALONG WITH
ANNEXURES A18 TO A28 FILED BY THE
PETITIONER TO THE REPLY STATEMENT FILED
BY THE RESPONDENT NO. 3 ON 22-05-2024
- EXHIBIT P5 A TRUE COPY OF THE REPLY STATEMENT FILED
BY RESPONDENT NO. 2 DATED 10-06-2024
- EXHIBIT P6 A TRUE COPY OF THE ADDITIONAL REPLY
STATEMENT FILED BY RESPONDENT NO. 2
DATED 12-06-2024
- EXHIBIT P7 A TRUE COPY OF THE REJOINDER ALONG WITH
ANNEXURE A29 TO A32 FILED BY THE
PETITIONER, DATED 22-07-2024, TO THE
REPLY STATEMENTS FILED BY THE RESPONDENT
NO. 2
- EXHIBIT P8 A TRUE COPY OF THE COMMON ORDER DATED
29-07-2024 IN OA NO. 2340/2023 AND OA
2321/2023 PASSED BY THE KERALA
ADMINISTRATIVE TRIBUNAL
THIRUVANANTHAPURAM
- EXHIBIT P9 A TRUE COPY OF THE LETTER NO.
K2/971856/2024 DATED 19-08-2024 ISSUED
BY RESPONDENT NO. 2