



GOVERNMENT OF KERALA



Abstract

Health & Family Welfare Department – Medical Education Service – Establishment – Order dated 17.12.20 19 of the Hon'ble Kerala Administrative Tribunal in O.A. No.2360/2019 filed by Sri. Sreekumar T.K. – Complied with - Orders issued.

HEALTH AND FAMILY WELFARE (B) DEPARTMENT

G.O.(Rt)No.2333/2021/H&FWD Dated,Thiruvananthapuram, 27/10/2021

- Read:-
1. Representation dated 27.11.2019 from Sri T.K.Sreekumar
 2. Order dated 17.12.20219 of the Hon'ble Kerala Administrative Tribunal in O.A. No.2360/2019 filed by Sri. Sreekumar T.K.
 3. G.O.(Rt) No.1218/2021/H&FWD dated 09.06.2021
 4. Letters No.E2/16327/2018/DME dated 06.08.2021, 27.08.2021 and 25.09.2021 from the Director of Medical Education, Thiruvananthapuram
 5. Interim order dated 17.08.2021 of the Hon'ble Kerala Administrative Tribunal in MA No. 1100/2021 in OA No. 2360/2019 filed by Sri. Sreekumar T.K.

ORDER

The Hon'ble Kerala Administrative Tribunal in its order read as 2nd paper above has disposed of the Original Application No.2360/2019 filed by Sri. Sreekumar T.K., with a directon to the first respondent to take a decision on Annexure MA-1 representation after hearing the applicant and respondents 3 and 4, as expeditiously as possible, at any rate, within a period of 3 months from the date of receipt of a certified copy of this order.

2. As directed and as authorized, the Applicant was heard by the Deputy Secretary, Health & Family Welfare Department on 20.03.2020. The respondents 3 and 4 failed to attend the hearing. The order read as 2nd paper above was complied with vide Government Order read as 3rd paper above, by issuing direction to the Director of Medical Education to call objections from the respondents 3 and 4 and to examine the same in accordance with the existing rules and to submit proposal to Government with proper grounds for the processing the promotion claim of the applicant.

3. The Director of Medical Education, as per her letters read as 4th paper above, furnished the proposal to Government for processing the promotion claim of the applicant. In the mean time the applicant filed MA No. 1100/2021 seeking the implementation of the direction issued by the Hon'ble Tribunal vide order read as 2nd paper above. Later, as per the interim order read as 5th paper above, the Hon'ble Tribunal directed the 1st respondent to ensure that orders are issued without further delay and to produce the same before the Tribunal.

4. The Director of Medical Education, as per the letters read as 4th paper above, has reported that Shri. T.K. Sreekumar joined Medical Education Service in the post of Radiographer Grade-II on 17.06.1989. Later vide proceedings of the Director of Medical Education dated 02.11.2000, he was promoted to the post of Radiographer Grade-I. But due to direction from the Division Bench of the Hon'ble High Court, the promotion order was rearranged and the applicant became the senior most Radiographer Grade-II for promotion to the post of Radiographer Grade-I. It is further reported that on abolition of dual control system in 2009, a combined seniority list of employees in Medical Education Department and Health Services Department was published and he was placed in third place. Though objections were called for, the applicant hasn't submitted any objection regarding his seniority at that time. Hence along with 96 persons, the Applicant was promoted as Radiographer Grade-I. No other persons were given promotion as Radiographer Grade I overlooking the applicant's seniority. All of them were given promotion as Radiographer Grade I along with the applicant. Therefore there is no ground to consider his claim for promotion as he requested.

5. Government have examined the matter in detail. The applicant has not submitted any objection regarding his seniority at the time when objections were called for and no other person was given promotion to the post of Radiographer Grade-I overlooking the approved seniority list. In these circumstances, the Annexure MA1 representation of the applicant is not an admissible one. Hence it is rejected and the Order dated 17.12.2019 of the Hon'ble Kerala Administrative Tribunal in OA No.2360/2019 is fully complied with accordingly.

(By order of the Governor)
Vijayakumar S
Joint Secretary

The Advocate General, Thiruvananthapuram (with C/L).
The Director of Medical Education, Thiruvananthapuram.
The Principal, Government Medical College, (Thiruvananthapuram/Kottayam)
Sri. Sreekumar T.K., Radiographer Grade-II, Department of Radiation
Oncology, Government Medical College, Kottayam - 686008.
Smt. Vijayalakshmi, Radiographer, Government Medical College,
Thiruvananthapuram.
Smt. Jayasree. A.I, Radiographer, Government Medical College,
Thiruvananthapuram.
The Principal Accountant General (Audit/A&E), Kerala, Thiruvananthapuram
The Information & Public Relations Department (Web & New Media)
Stock File/Office Copy.

Forwarded/By order

Signed by Anil Kumar.d

Date: 28-10-2021 10:15:13

Reason: Approved
Section Officer