



2025:KER:30740

O.P. (KAT) No.112 of 2025

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR.JUSTICE P. KRISHNA KUMAR

WEDNESDAY, THE 9TH DAY OF APRIL 2025 / 19TH CHAITHRA, 1947

OP(KAT) NO. 112 OF 2025

**AGAINST THE ORDER DATED 04.10.2024 IN OA NO.1305 OF
2020 OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM**

PETITIONERS/RESPONDENTS IN OA:

- 1 STATE OF KERALA, REPRESENTED BY PRINCIPAL
SECRETARY TO GOVERNMENT, DEPARTMENT OF HEALTH AND
FAMILY WELFARE, SECRETARIAT,
THIRUVANANTHAPURAM, KERALA, PIN - 695 001**
- 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, FINANCE
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, KERALA, PIN - 695 001**
- 3 THE DIRECTOR, DIRECTORATE OF HEALTH
SERVICES, GENERAL HOSPITAL
JUNCTION, THIRUVANANTHAPURAM, KERALA, PIN - 695
035**
- 4 THE DISTRICT MEDICAL OFFICER OF HEALTH, OFFICE OF
DMO, ANANDAWALEESWARAM, KOLLAM, KERALA, PIN - 691
013**

**BY ADV GOVERNMENT PLEADER
SUNIKUMAR KURIAKOSE GP**

RESPONDENTS/APPLICANT IN OA:



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DR.ANISH JOSE.A, AGED 36 YEARS,S/O.S.ANTONY
DAS,ASSISTANT SURGEON,PRIMARY HEALTH CENTRE,
KOTTANADU.P.O, PATHANAMTHITTA,RESIDING AT
ANJALI,ARCHANA NAGAR,HOUSE NO.1,
PALLITHOTTAM.P.O,KOLLAM, KERALA, PIN - 691 006

BY ADVS.
G.HARIPRASAD
ARUN BABU
ANEESHRAJ R.

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP
FOR ADMISSION ON 09.04.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



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J U D G M E N T

A. Muhamed Mustaque, J.

The issue in this matter is covered against the State, the petitioner herein, in the light of the Judgment dated 11.01.2024 in O.P. (KAT) No.500 of 2024. Following the above judgment, this original petition is dismissed.

Sd/-

**A.MUHAMED MUSTAQUE
JUDGE**

Sd/-

**P. KRISHNA KUMAR
JUDGE**

PR



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APPENDIX OF OP(KAT) 112/2025

PETITIONER ANNEXURES

Annexure A1	TRUE COPY OF THE ORDER BEARING NO. A1-10810/16/DMOHK DATED 28.05.2016 OF THE DMO HEALTH, KOLLAM
Annexure A2	TRUE COPY OF CERTIFICATE BEARING NO.C2/179893/2020/MCC DATED 07.03.2020 ISSUED BY THE VICE PRINCIPAL, MEDICAL COLLEGE, KOZHIKODE
Annexure A3	TRUE COPY OF THE REPORT OF TRANSFER OF CHARGE DATED 30.05.2018 OF THE MEDICAL OFFICER, KOTTANADU, PATHANAMTHITTA
Annexure A4	TRUE COPY OF THE APPLICATION SUBMITTED BY THE APPLICANT BEFORE THE 1ST RESPONDENT ON 18.05.2018
Annexure A5	TRUE COPY OF THE LETTER BEARING NO. EB6-98517/2017/DHS DATED 09.11.2019 ISSUED BY THE 3RD RESPONDENT TO THE 1ST RESPONDENT
Annexure A6	TRUE COPY OF THE ORDER DATED 29.05.2020 ISSUED BY THE 1ST RESPONDENT
Annexure A7	TRUE COPY OF GO(RT)NO.2520/2018/H&FWD DATED 08.08.2018
Annexure A8	TRUE COPY OF THE ORDER DATED 04.12.2019 IN OA 2046/2019 OF THE TRIBUNAL
Annexure A9	TRUE COPY OF ORDER DATED GO(RT)NO.930/2019/H&FWD DATED 16.04.2019
Annexure A10	TRUE COPY THE GO(RT)NO.1202/2018/H&FWD DATED 11.04.2018 ISSUED BY THE HEALTH AND FAMILY WELFARE DEPARTMENT



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Annexure A11	TRUE COPY OF THE GO(P)NO.303/70/FIN DATED 12.05.1970
Annexure A12	TRUE COPY OF THE CIRCULAR DATED 27.09.2005 BEARING NUMBER 54/2005/FIN
Annexure A13	TRUE COPY OF THE GO(P)NO.106/2017/FIN DATED 14.08.2017
Annexure A14	TRUE COPY OF THE ORDER DATED 27.11.2019 IN OA 2051/2019 OF THE KERALA ADMINISTRATIVE TRIBUNAL
Annexure A15	TRUE COPY OF THE ORDER BEARING NO.E.401/E1/2018/H&FWD DATED 07.04.2020 ISSUED BY THE 1ST RSPECT OF DR.MAJIDA
Annexure A16	TRUE COPY OF THE RELEVANT PORTION OF THE ORDER DATED ES7-692/2019/DHS DATED 04.05.2019 ISSUED BY THE 3RD RESPONDENT
Annexure A19	TRUE COPY OF THE RELEVANT PAGES OF PROCEEDING OF THE DIRECTOR OF HEALTH SERVICES BEARING ORDER NO.ES7- 692/2019/DHS DATED 04.05.2019
Annexure A17	TRUE COPY OF THE GO(RT)NO.894/2018/H&FWD DATED 17.03.2018 ISSUED BY THE DEPUTY SECRETARY TO GOVERNMENT
Annexure A18	TRUE COPY OF THE GO(RT)NO.1395/2022/H&FWD DATED 15.06.2022 ISSUED BY THE DEPUTY SECRETARY TO GOVERNMENT
Exhibit P1	TRUE COPY OF THE O.A NO.1305/2020
Exhibit P2	TRUE COPY OF THE REPLY STATEMENT FILED BY THE 1ST PETITIONER ON 10.06.2024
Exhibit P3	TRUE COPY OF THE REPLY STATEMENT FILED BY THE 1ST PETITIONER ON 16.11.2021



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Exhibit P4	TRUE COPY OF THE REJOINDER FILED BY THE RESPONDENT ON 04.08.2023
Exhibit P5	TRUE COPY OF THE ADDITIONAL REJOINDER FILED BY THE RESPONDENT ON 20.06.2024
Exhibit P6	TRUE COPY OF MISCELLANEOUS APPLICATION NO.735/2021 IN OA NO. 1305/2020 DATED 17.03.2021 TO ACCEPT ADDITIONAL DOCUMENT
Exhibit P7	TRUE COPY OF MISCELLANEOUS APPLICATION NO.1706/2022 IN OA NO. 1305/2020 DATED 17.08.2022 TO ACCEPT ADDITIONAL DOCUMENT
Exhibit P8	TRUE COPY OF THE IMPUGNED ORDER BY THE TRIBUNAL ON 04.10.2024