



OP (KAT) NO. 160 OF 2025

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2025:KER:30354

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR.JUSTICE P. KRISHNA KUMAR

TUESDAY, THE 8TH DAY OF APRIL 2025 / 18TH CHAITHRA, 1947

OP (KAT) NO. 160 OF 2025

AGAINST THE JUDGMENT DATED 03.04.2025 IN OA (EKM) NO.508
OF 2025 OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/APPLICANTS 1,3,4,5,7 AND 8 IN THE ORIGINAL
APPLICATION :

- 1 SHYJA SANTHOSH,
AGED 56 YEARS
W/O SANTOSH, WORKING AS PART TIME SWEEPER-CUM-
ATTENDER, HEALTH & FAMILY WELFARE DEPARTMENT,
GOVERNMENT MEDICAL COLLEGE, KALAMASSERY,
ERNAKULAM-683504, RESIDING AT PLASSERYPARAMBIL,
KANGARAPADY, THRIKKAKARA, VADAKODE, ERNAKULAM,
PIN - 682821
- 2 RAMLA PAREETH @RAMLATH,
AGED 49 YEARS
W/O. PAREED, PART TIME SWEEPER CUM-ATTENDER,
GOVERNMENT MEDICAL COLLEGE, ERNAKULAM-683503
RESIDING AT MURIYANKOTTIL, VKC P.O., THEVAKKAL,
ERNAKULAM, PIN - 682021
- 3 DEVAKI M.K.,
AGED 57 YEARS
W/O. KUNJUMON, PART TIME SWEEPER CUM ATTENDER,
GOVERNMENT MEDICAL COLLEGE, ERNAKULAM-683503
RESIDING AT MURIYANKOTTIL, VKC P.O., THEVAKKAL,
ERNAKULAM, PIN - 682021
- 4 JINCY SEBASTIAN,
AGED 45 YEARS
PART TIME SWEEPER-CUM-ATTENDER, GOVERNMENT MEDICAL
COLLEGE, ERNAKULAM-683503 RESIDING AT NADUVILE
VEEDU, NAD P.O., ALUVA, ERNAKULAM, PIN - 683563



- 5 SARASU THAIKUNJU,
AGED 58 YEARS
PART TIME SWEEPER-CUM-ATTENDER,
GOVERNMENT MEDICAL COLLEGE, ERNAKULAM-683503
RESIDING AT NADUVILAKKADU, VADACODE P.O.,
KANGARAPADY, THRIKKAKARA NORTH, ERNAKULAM,
PIN - 682021
- 6 AJITHKUMAR M.S.,
AGED 58 YEARS
GARDNER, GOVERNMENT MEDICAL COLLEGE,
ERNAKULAM-683503 RESIDING AT NEDUNARAPARAMBIL,
VADACODE P.O., KANGARAPADY, THRIKKAKARA NORTH,
ERNAKULAM, PIN - 682021

BY ADVS.
MOLTY MAJEED
C.A.MAJEED
K.H.ASIF
P.B.UNNIKRISHNAN NAIR
SHERIN BIJU

RESPONDENTS/RESPONDENTS 1 TO 3/APPLICANTS 2 AND 6 IN THE
ORIGINAL APPLICATION :

- 1 STATE OF KERALA,
REPRESENTED BY SECRETARY, HEALTH & FAMILY WELFARE
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE DIRECTOR OF MEDICAL EDUCATION,
DIRECTORATE OF MEDICAL EDUCATION, MEDICAL COLLEGE
P.O, THIRUVANANTHAPURAM, PIN - 695011
- 3 THE PRINCIPAL,
GOVERNMENT MEDICAL COLLEGE, KALAMASSERY,
ERNAKULAM, PIN - 683503
- 4 SHAKUNTHALA KRISHNAN,
AGED 56 YEARS
W/O. KRISHNAN, PART TIME SWEEPER CUM-ATTENDER,
GOVERNMENT MEDICAL COLLEGE, ERNAKULAM-683503
RESIDING AT POONTHONI, VADACODE P.O., KANGARAPADY,
THRIKKAKARA NORTH, ERNAKULAM, PIN - 682021



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5 OMANA VIJAYAN,
 AGED 59 YEARS
 PART TIME SWEEPER-CUM-ATTENDER, GOVERNMENT MEDICAL
 COLLEGE, ERNAKULAM-683503 RESIDING AT NAMBOTTIL,
 VADACODE P.O., KANGARAPADY, THRIKKAKARA NORTH,
 ERNAKULAM, PIN - 682021

BY SRI.SUNILKUMAR KURIAKOSE, GOVERNMENT PLEADER

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP FOR
ADMISSION ON 08.04.2025, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

**J U D G M E N T****A.Muhamed Mustaque, J.**

The issue was considered by this Court in OP(KAT)No.565 of 2024, and the petitioners' claim for continuation at Kalamassery Medical College has been repelled. The petitioners cannot repeatedly raise the matter. The matter ought to have been dismissed with heavy cost. However, considering the nature of petitioners' employment, we refrain from doing so.

This original petition is accordingly dismissed.

Sd/-

**A.MUHAMED MUSTAQUE
JUDGE**

Sd/-

**P.KRISHNA KUMAR
JUDGE**

rkj

APPENDIX OF OP (KAT) 160/2025

PETITIONER ANNEXURES

- Annexure.A-1 A TRUE COPY OF THE LETTER NO. E3-
3731/CMC/2009/6322 DATED 07/09/2009
APPOINTING THE 1ST APPLICANT
- Annexure.A-2 A TRUE COPY OF THE LETTER NO. E3-
3731/2009/3556 DATED 30/04/2009 APPOINTING
THE 2ND APPLICANT
- Annexure.A-3 A TRUE COPY OF THE LETTER NO. E3-
3731/2009/3556 DATED 30/04/2009 APPOINTING
THE 3RD APPLICANT
- Annexure.A-4 A TRUE COPY OF THE LETTER DATED 07/08/2015
FROM THE PROJECT ENGINEER, CERTIFYING THAT
THE 4TH APPLICANT WAS WORKING SINCE 2005
- Annexure.A-5 A TRUE COPY OF THE LETTER NO. E3-
3865/2009/3850 DATED 30/04/2009, ALONGWITH
ITS TYPED COPY, APPOINTING THE 5TH
APPLICANT
- Annexure.A-6 A TRUE COPY OF THE LETTER NO. E3-
3731/2009/33556 DATED 30/04/2009
APPOINTING THE 6TH APPLICANT
- Annexure.A-7 A TRUE COPY OF THE LETTER NO. E3-
3731/2009/3556 DATED 30/04/2009 APPOINTING
THE 7TH APPLICANT
- Annexure.A-8 A TRUE COPY OF THE LETTER NO. E4-
447/2014/CMC/284 DATED 15/01/2014
APPOINTING THE 8TH APPLICANT
- Annexure.A-9 A TRUE COPY OF G.O. (MS.) NO.
488/2013/H&FWD DATED 17/12/2013
- Annexure.A-10 A TRUE COPY OF GO (MS) NO. 71/2016/H&FWD
DATED 04/03/2016
- Annexure.A-11 TRUE COPIES OF LETTER NO. E5-2225/2020/GMC
DATED 25/11/2024 TO ALL THE APPLICANTS BY
THE 3RD RESPONDENT



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Annexure.A-12

A TRUE COPY OF THE FINAL ORDER DATED
20/12/2024 IN OA (EKM) 1704/2024 OF THE
TRIBUNAL

Annexure.A-13

A TRUE COPY OF THE FINAL ORDER DATED
20/12/2-24 IN OA (EKM) 1607/2024 OF
THETRIBUNAL

Annexure.A-14

A TRUE COPY OF INTERIM ORDER DATED
27/12/2024 IN OP (KAT) 565/2024

Annexure.A-15

A TRUE COPY OF THE COMMON JUDGMENT DATED
18/02/2025 IN OP(KAT)564 AND 565 OF 2024

Annexure.A-16

A TRUE COPY OF THE REPRESENTATION DATED
24/03/2025 SUBMITTED TO THE 1ST RESPONDENT

Annexure.A-17

. A TRUE COPY OF THE FINAL ORDER DATED
31/01/2022 IN OA (EKM) 886 OF 2019 OF THE
LEARNED TRIBUNAL

Annexure.A-18

A TRUE COPY OF THE JUDGMENT DATED
24/08/2022 IN OP(KAT) 186/2022 OF THIS
HON'BLE COURT

Annexure.A-19

A TRUE COPY OF THE COMMON JUDGMENT DATED
18/12/2024 IN SLP (CIVIL) 19167/2022 AND
SLP (CIVIL) 20335/2022 OF THE APEX COURT

Annexure.A-20

A TRUE COPY OF THE LETTER NO. E5-
2225/2020/GMC DATED 22/03/2025 OF THE 3RD
RESPONDENT

Annexure.A-21

A TRUE COPY OF THE LETTER NO.
8953/B3/2014/CO-OP DATED 07/09/2014
FORWARDING THE MINUTES OF THE MEETING HELD
ON 06/08/2014

Annexure.A-22

A TRUE COPY OF THE ORDER NO. E5-
2225/2020/GMCE DATED 28/03/2025 ISSUED BY
THE 3RD RESPONDENT

Exhibit.P-1

A TRUE COPY OF THE ORIGINAL APPLICATION OA
(EKM) 508 OF 2025

Exhibit.P-2

A TRUE COPY OF MA(EKM) 123 OF 2025 IN OA
(EKM) 508 OF 2025 WITHOUT ITS ANNEXURE



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Exhibit.P-3

A TRUE COPY OF THE CASE DETAILS OF OA
(EKM) 508/2025 AS OBTAINED FROM THE
OFFICIAL WEBSITE OF KERALA ADMINISTRATIVE
TRIBUNAL SHOWING DISPOSAL OF THE ORIGINAL
APPLICATION

Exhibit.P-4

CERTIFIED COPY OF THE FINAL ORDER DATED
03/04/2025 IN OA (EKM) 508 OF 2025