



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K. NARENDRAN

&

THE HONOURABLE MR. JUSTICE MURALEE KRISHNA S.

MONDAY, THE 22ND DAY OF JUNE 2026 / 1ST ASHADHA, 1948

O.P. (KAT)NO.93 OF 2026

AGAINST THE ORDER DATED 12.02.2026 IN M.A. (EKM)NO.240 OF
2026 IN O.A. (EKM)NO.1597 OF 2025 OF THE KERALA
ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH, ERNAKULAM

PETITIONERS/APPLICANTS:

- 1 HENNA P.K., AGED 27 YEARS, DAUGHTER OF MAMMED KUTTY, RANK NO. 656, RESIDING AT KURIKKANPURATH, VAKKALLOOR, VTC:KAVANOR, MALAPPURAM, PIN - 673639
- 2 SRUTHI S., AGED 25 YEARS, DAUGHTER OF SREERAMAN C RANK NO. 615, RESIDING AT 8/240, PANGICHANPURA, KADUKKAMKUNNAM, KADUKKAMKUNNAM P.O., PALAKKAD, PIN - 678651
- 3 KRISHNA RAJEEV, AGED 26 YEARS, OTHER OF RAJEEV KUMAR K, RANK NO. 741, RESIDING AT KALLIDUMBIL, ARUVAPPARA P.O, KOTHAMANGALAM, VTC:VENGOOR, ERNAKULAM, PIN - 683545
- 4 AKSHAYA K.V., AGED 25 YEARS, DAUGHTER OF VELAYUTHAN KUTTI, RANK NO. 35 (SUPPLEMENTARY LIST) RESIDING AT KOMBANKALLU, THEVARMANI, CHATHAMANGALAM, NENMARA, PALAKKAD, PIN - 678508
- 5 LAKSHMI SHAJI, AGED 25 YEARS, DAUGHTER OF SHAJI K.S., RANK NO. 6 (SUPPLEMENTARY LIST) RESIDING AT KAROTH HOUSE, ELOTH ROAD, MANAKKODY THRISSUR, PIN - 680012
- 6 GOURI S, AGED 22 YEARS, OTHER OF P.K. SATHEESHAN



RANK NO. 12 (SUPPLEMENTARY LIST) NADUKKUDIYIL
HOUSE, THANNIKKONAM, ALTHARAMOODU P.O., NAGARoor
VILLAGE, ALAMCODE (PART), THIRUVANANTHAPURAM,
KERALA, PIN - 695102

BY ADVS. SHRI.S.SABARINADH
SMT.INDULEKHA JOSEPH

RESPONDENTS/RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY, DEPARTMENT OF
AGRICULTURE DEVELOPMENT AND FARMER'S WELFARE,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,
KERALA, PIN - 695001
- 2 KERALA AGRICULTURAL UNIVERSITY
REPRESENTED THROUGH ITS REGISTRAR, VELLANIKKARA,
THRISSUR, KERALA, PIN - 680656
- 3 KERALA PUBLIC SERVICE COMMISSION
REPRESENTED BY SECRETARY, PATTOM,
THIRUVANANTHAPURAM, KERALA, PIN - 695004
- 4 SURYA MEGHNA
KRISHNASOORYA, PATTENA, PUTHARIYADUKKAM,
KASARAGOD, PIN - 671314
- 5 ANEES A.P.
ALASSUMPATTIL, MARAKKARA, MALAPPURAM,
PIN - 676553

SMT. PARVATHY K., GP
SRI. P. C. SASIDHARAN, SC, KPSC
SRI. ROBSON PAUL, SC, KERALA AGRICULTURAL
UNIVERSITY

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP
FOR ADMISSION ON 22.06.2026, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

**"C.R"****JUDGMENT****Anil K. Narendran, J.**

The petitioners, who are the applicants in O.A.(EKM)No.1597 of 2025 on the file of the Kerala Administrative Tribunal, Additional Bench at Ernakulam, have filed this original petition, invoking the supervisory jurisdiction of this Court under Article 227 of the Constitution of India, seeking an order to set aside Ext.P1 order dated 12.02.2026 of the Tribunal in M.A.(EKM)No.240 of 2026 filed in that original application. The applicants, who are included in Annexure A3 ranked list for the post of Agricultural Assistant (Grade II) in the Agriculture Development and Farmers Welfare Department, which came into force with effect from 22.09.2025, filed O.A.(EKM)No.1597 of 2025, invoking the provisions under Section 19 of the Administrative Tribunals Act, 1985, seeking an order to set aside Annexure A2 notification dated 15.12.2023 (Category No.528/2023) issued by the 3rd respondent Kerala Public Service Commission and to set aside Note I of sub-clause (3) of Clause 7 (qualification) of Annexure A2 to the extent it provides that Rule 10(a)(ii) of Part II of Kerala State and Subordinate Services Rules, 1958, (KS&SSR) is applicable for the



selection to the post of Agricultural Assistant (Grade II), in violation of Annexure A1 Government order, i.e., G.O.(Ms)No.93/2019/AGRI dated 12.07.2019; a declaration that Rule 10(a)(ii) of Part II of KS&SSR is not applicable for the selection to the post of Agricultural Assistant (Grade II) in the light of specific/restrictive provisions in Annexure A1 Government order and in the absence of valid Government order/standing order declaring equivalency; to set aside Annexure A3 ranked list published by the 3rd respondent Public Service Commission to the extent it includes candidates who possess qualifications other than (i) Diploma in Agriculture or (ii) Diploma in Organic Agriculture from the Kerala Agricultural University, the prescribed qualification in Annexure A1 Government order dated 12.07.2019; to direct the 3rd respondent Public Service Commission to recast Annexure A3 ranked list for the post of Agricultural Assistant (Grade II) after excluding the candidates who possess qualifications other than (i) Diploma in Agriculture or (ii) Diploma in Organic Agriculture from the Kerala Agricultural University, as prescribed in Annexure A1 Government order dated 12.07.2019 and publish the revised ranked list, within the time frame stipulated by the Tribunal; direct the 3rd respondent to prepare a separate list of candidates with the



qualification of Vocational Higher Secondary Certificate in Agriculture; and direct the 3rd respondent to ensure that the educational qualifications of every candidate included in the ranked list that is going to be re-casted in pursuance of the order to be passed by the Tribunal is reflected in a separate column of such re-casted ranked list.

2. The interim reliefs sought for in O.A.(EKM)No.1597 of 2025 are (a) stay of operation of Annexure A3 ranked list issued by the 3rd respondent Public Service Commission, for the post of Agricultural Assistant (Grade II) (Category No.528/2023), pending disposal of the original application; and (b) to direct the 1st respondent State of Kerala, Department of Agriculture to report all substantive vacancies in the post of Agricultural Assistant (Grade II) to the 3rd respondent Public Service Commission, and to direct the Commission to keep the issuance of advice against Annexure A3 ranked list in abeyance, pending final disposal of the original application.

3. The petitioners-applicants are candidates who possess Diploma in Agriculture from the Kerala Agricultural University. On 28.10.2025, when O.A.(EKM)No.1597 of 2025 came up for consideration, the Tribunal passed an interim order to the effect



that all advice and appointments from Annexure A3 ranked list will be subject to the result of that original application.

4. It is after the said interim order dated 28.10.2025, that the applicants filed a miscellaneous application, i.e., M.A.(EKM)No. 240 of 2026 in O.A.(EKM)No.1597 of 2025, seeking the following reliefs;

“(i) Direct that the application be heard notwithstanding that some of the respondents have not been served with notice by serving notice to 2 or 3 candidates in the list handed over by the 3rd respondent excluding the 45 candidates who are already in receipt of advice, appointment or those who have already joined or in the alternative.

(ii) Direct the 3rd respondent to publish in their website, (1) the PDF of this original application, (2) the PDF of the interim orders granted by this Tribunal in the above original application for the information of all the candidates in the rank list and (3) to insert an intra-site hyperlink in the individual profile of the rank list inside the dashboard of all these rank holders; within a time frame to be stipulated by this Tribunal and further treat the publication of the same as completion of service.

(iii) And to accept additional documents in the above original application”.

5. In M.A.(EKM)No.240 of 2026, the Tribunal passed Ext.P1 order dated 12.02.2026. Paragraphs 2 to 4 of that order read thus;



"2. This Tribunal has already ordered that all advices and appointments from Annexure A3 ranked list would be subject to the result of the above Original Application. It is contended that on 05.12.2025, this Tribunal had directed the 3rd respondent to furnish the address of candidate who are advised and are included in the ranked list with qualifications mentioned in Annexure A9. The 3rd respondent in compliance has handed over a list of 79 candidates to the Court Officer and this Tribunal has directed the applicant to take steps to implead the candidates in the list. It is further submitted that after detailed perusal the applicant found out the following aspects.

- "1. 4 persons out of 79 Joined as Farm Assistant Grade-II (Agriculture) at Kerala Agricultural University.
2. 22 persons out of 79 are appointed as Farm Assistant Grade-II (Agriculture) at Kerala Agricultural University.
3. 2. persons out of 79 joined the Rubber Board. One among them got the appointment as Farm Assistant Grade-II (Agriculture) at Kerala Agricultural University and his advice as Agricultural Assistant (Grade II) is reported as NJD.
4. One person out of 79 got the appointment as Farm Assistant Grade-II (Agriculture) at Kerala Agricultural University. She also got advice as Agricultural Assistant (Grade II).
5. 6 persons joined as Agricultural Officer and one among them also got the appointment as Farm Assistant Grade-II (Agriculture) at Kerala Agricultural University.



6. 10 persons got advice as Agricultural Officer. One among them joined Supplyco and also got the appointment as Farm Assistant Grade-11 (Agriculture) at Kerala Agricultural University. One among them also got the appointment as Farm Assistant Grade-II (Agriculture) at Kerala Agricultural university. 2 among them joined as Field Supervisor and Diary Farm Instructor.

7. 2 persons got Agricultural Officer one among them also got the appointment as Farm Assistant Grade-II (Agriculture) at Kerala Agricultural University.

8. Aforesaid information regarding the list submitted by 3rd respondent is collated in Tabular form with particulars for better understanding and clarity.

9. This information reveals the fact that 45 persons among the list of 79 submitted by the 3rd respondent have already joined/appointed/advised in some other posts. Moreover, they have already provided relinquishment to the selection to these posts.

3. It is their contention that no purpose will be served by serving copies to these 45 persons. It is their contention that the Tribunal has ordered to take steps to these 79 candidates without knowing the huge quantum as the list was not filed by the 3rd respondent before the Tribunal without knowing the total number of persons, the Tribunal has ordered to take steps is the contention. It is also argued that the ranked list shall expire on 21.09.2026. If notice is taken to all candidates in the aforesaid list, the application would become infructuous.



4. This Tribunal is not inclined to accept the above request of the applicants. The ranked list is due to expire on 21.09.2026. Even if it is accepted that there are 79 persons that is only an identifiable class against whom notice could be duly served. The Standing Counsel for the PSC submits that it is not possible to serve notice through the profile of the PSC and that will set a bad precedent for the other cases.

Accordingly, the above Miscellaneous Application is dismissed as devoid of merit.”

6. Challenging Ext.P1 order dated 12.02.2026 of the Tribunal in M.A.(EKM)No.240 of 2026 in O.A.(EKM)No.1597 of 2025, the petitioners–applicants are before this Court in this original petition.

7. Heard arguments of the learned counsel for the petitioners–applicants, the learned Government Pleader for the 1st respondent, the learned Standing Counsel for the Kerala Agricultural University for the 2nd respondent and the learned Standing Counsel for the Kerala Public Service Commission for the 3rd respondent.

8. The learned counsel for the petitioners–applicants would contend that Ext.P1 order passed by the Tribunal in M.A.(EKM)No.240 of 2026 in O.A.(EKM)No.1597 of 2025 warrants interference in this original petition, in exercise of the supervisory



jurisdiction under Article 227 of the Constitution of India. The arguments advanced before the Tribunal, with specific reference to the provisions under sub-rule (8) of Rule 10 of the Kerala Administrative Tribunal (Procedure) Rules, 2010 were not taken note of by the Tribunal while passing Ext.P1 order. The submission of the learned counsel for the petitioners-applicants is that, invoking the provisions under sub-rule (8) of Rule 10 of the Procedure Rules, the Tribunal ought to have permitted the applicants to effect service of notice on the affected candidates included in Annexure A3 ranked list, through their profile in the web portal of the Public Service Commission, by providing hyperlink, etc.

9. On the other hand, the learned Standing Counsel for the Public Service Commission, the learned Government Pleader for the 1st respondent State and the learned Standing Counsel for the 2nd respondent University would submit that valid reasons have been stated by the Tribunal in Ext.P1 order to decline the reliefs sought for by the applicants in M.A.(EKM)No.240 of 2026 in O.A.(EKM)No.1597 of 2025, which warrants no interference in this original petition, in exercise of the supervisory jurisdiction under Article 227 of the Constitution of India.



10. Rule 10 of the Kerala Administrative Tribunal (Procedure) Rules, 2010 deals with service of notices and processes issued by the Tribunal. As per sub-rule (1) of Rule 10, any notice or process issued by the Tribunal may be served as directed or by any of the following modes, namely, (i) by hand delivery through the applicant or through a process server; or (ii) by registered post with acknowledgment due; or (iii) through the head of the Department concerned, by any one of the above modes. As per sub-rule (2) of Rule 10, where notice issued by the Tribunal is served by the applicant himself by 'hand delivery', he shall file with the Registrar of the Tribunal, the acknowledgment, together with an affidavit of service.

11. As per sub-rule (3) of Rule 10 of the Kerala Administrative Tribunal (Procedure) Rules, notwithstanding anything contained in sub-rule (1), the Tribunal may, taking into account the number of respondents and their place of residence or work and other circumstances, direct that notice of the application shall be served upon the respondents in any other manner, including any manner of substituted service, as it appears to the Tribunal just and convenient. As per sub-rule (4) of Rule 10, notwithstanding anything done under sub-rule (1), the Tribunal



may in its discretion, having regard to the nature and urgency of the case, direct the service of the notice on the Standing Counsel appointed as such by the State Government or any Department of the State Government.

12. As per sub-rule (8) of Rule 10 of the Kerala Administrative Tribunal (Procedure) Rules, notwithstanding anything contained in sub-rules (1), (2), (3) and (4), if the Tribunal is satisfied that it is not reasonably practicable to serve notice of application upon all respondents, it may for reasons to be recorded in writing, direct that the application be heard notwithstanding that some of the respondents have not been served with notice of the application. As per the proviso to sub-rule (8) of Rule 10, no application shall be heard unless- (i) notice of the application has been served on the Government, if Government is a respondent; (ii) notice of the application has been served on the authority which passed the order against which the application has been filed; and (iii) the Tribunal is satisfied that the interests of the respondent on whom notice of the application has not been served is adequately and sufficiently represented by the respondent on whom notice of the application has been served.



13. As per sub-rule (9) of Rule 10 of the Kerala Administrative Tribunal (Procedure) Rules, inserted by notification No.G.S.R.188(E) dated 15.03.2021 published in Gazette of India Extraordinary Part II, Section 3(i) with effect from 15.03.2021, notwithstanding anything contained in Rule 10, in the case of electronic filing of application, any notice or process to be issued by the Tribunal shall, as far as possible, be service through electronic means. When electronic mailing address is not known, the service of notice or process may be done as per sub-rules (1) to (4) of Rule 10.

14. The provisions under sub-rules (1) to (4), (8) and (9) of Rule 10 of the Kerala Administrative Tribunal (Procedure) Rules, which deals with service of notices and processes issued by the Tribunal, would make it explicitly clear that in an original application filed under Section 19 of the Administrative Tribunals Act, the Tribunal cannot effect service of notices and processes to the respondents, who are candidates included in the ranked list published by the Kerala Public Service Commission, by directing the Public Service Commission to publish in their website, the PDF of the original application, the PDF of the interim orders granted by the Tribunal in the original application for the information of all



the candidates in the ranked list, and by inserting an intra-site hyperlink in the individual profile, inside the dashboard of all the candidates in the ranked list, as sought for by the applicants in M.A.(EKM)No. 240 of 2026 in O.A.(EKM)No.1597 of 2025, and then treat the publication of the same as completion of service of notices and processes on the respondents.

15. Another relief sought for in M.A.(EKM)No.240 of 2026 in O.A.(EKM)No.1597 of 2025 is an order directing the Tribunal that the application be heard notwithstanding that some of the candidates in the list handed over by the 3rd respondent Public Service Commission are not served with notice, excluding 45 candidates who are already in receipt of advice, appointment order or those who have already joined service.

16. As already noticed hereinbefore, as per the proviso to sub-rule (8) of Rule 10 of the Kerala Administrative Tribunal (Procedure) Rules, no application shall be heard unless- (i) notice of the application has been served on the Government, if Government is a respondent; (ii) notice of the application has been served on the authority which passed the order against which the application has been filed; and (iii) the Tribunal is satisfied that the interests of the respondent on whom notice of the application



has not been served is adequately and sufficiently represented by the respondent on whom notice of the application has been served.

17. In this context, we notice the provisions contained in Rule 4B of the Kerala Administrative Tribunal (Procedure) Rules, inserted by notification No.G.S.R.188(E) dated 15.03.2021 published in Gazette of India Extraordinary Part II, Section 3(i) with effect from 15.03.2021, which deals with addition of parties. As per Rule 4B, all persons directly affected shall be made parties to the application. Where such persons are numerous, one or more of them may with the permission of the Tribunal, on application made for the purpose, be impleaded on behalf of or for the benefit of all persons so affected; but notice of the original application shall, on admission, be given to all such persons either by personal service or by public advertisement as the Tribunal in each case may direct. Rule 4B reads thus;

"4B. Addition of parties.- All persons directly affected shall be made parties to the application. Where such persons are numerous, one or more of them may with the permission of the Tribunal, on application made for the purpose, be impleaded on behalf of or for the benefit of all persons so affected; but notice of the original application shall, on admission, be given to all such persons either by personal



service or by public advertisement as the Tribunal in each case may direct:

Provided that in cases where the State Government is a party, the Secretary to the Government Department concerned shall be arrayed as party representing the Government:

Provided further that if the subject matter of the application relates to two or more Government Departments or, if the application is of such a nature, the disposal of which warrants information from two or more Government Departments, the Chief Secretary to Government and the Secretaries to those Government Departments shall be made as party representing the Government."

(underline supplied)

18. The mandate of Rule 4B of the Kerala Administrative Tribunal (Procedure) Rules, is that all persons directly affected shall be made parties to the application. Where such persons are numerous in an original application, one or more of them may with the permission of the Tribunal, on application made for the purpose, be impleaded on behalf of or for the benefit of all persons so affected, but, notice of the original application shall, on admission, be given to all such persons either by personal service or by public advertisement as the Tribunal in each case may direct. In case the affected persons are numerous in O.A.(EKM)No.1597 of 2025, the applicants could have filed a miscellaneous



application, invoking the provisions under Rule 4B, seeking the permission of the Tribunal to implead one or more of the affected candidates on behalf of or for the benefit of all persons so affected.

In the absence of an appropriate order passed by the Tribunal, on a miscellaneous application filed under Rule 4B, the Tribunal cannot record its satisfaction under clause (iii) of the proviso to sub-rule (8) of Rule 10 that the interests of the respondent on whom notice of the application has not been served is adequately and sufficiently represented by the respondent on whom notice of the application has been served.

In such circumstances, this Court finds no reason to interfere with Ext.P1 order dated 12.02.2026 passed by the Tribunal in M.A.(EKM)No.240 of 2026 in O.A.(EKM)No.1597 of 2025. This original petition fails and the same is accordingly dismissed.

Sd/-

ANIL K. NARENDRA, JUDGE

Sd/-

MURALEE KRISHNA S., JUDGE



APPENDIX OF OP(KAT) NO. 93 OF 2026

PETITIONER ANNEXURES

Annexure A1	A TRUE COPY OF G.O. (MS) NO. 93/2019/AGRICULTURE DATED 12.07.2019 ISSUED BY 1ST RESPONDENT
Annexure A2	A TRUE COPY OF THE RECRUITMENT NOTIFICATION DATED 15.12.2023 FOR THE POST OF AGRICULTURAL ASSISTANT (GRADE II) IN CATEGORY NO. 528/2023 ISSUED BY THE 3RD RESPONDENT PUBLIC SERVICE COMMISSION
Annexure A3	A TRUE COPY OF THE RANKED LIST NO. 759/2025/ERVIII DATED 22.09.2025, IN CATEGORY NO. 528/2023, FOR THE POST OF AGRICULTURAL ASSISTANT (GRADE II) ISSUED BY THE 3RD RESPONDENT
Annexure A4	TRUE COPY OF THE ONLINE RTI APPLICATION NO. RTI/24082/2025 DATED 24.09.2025 SUBMITTED BY SRI. SANAL P.K. ALONG WITH ITS REPLY BY NO. IDS-1(2)-1253665/2025/GW DATED 08.10.2025 ISSUED BY THE 3RD RESPONDENT
Annexure A5	A TRUE COPY OF THE RELEVANT EXTRACT OF CURRICULUM FOR B. VOC (AGRICULTURE) PROGRAMME OF THE UNIVERSITY OF CALICUT FOR THE YEAR 2020-2021
Annexure A6	A TRUE COPY OF CIRCULAR NO. 18/2003 DATED 11.07.2003 ISSUED BY 3RD RESPONDENT
Annexure A7	A TRUE COPY OF THE RTI APPLICATION DATED 18.06.2024 SUBMITTED BY SRI.SANAL P.K. ALONG WITH ITS REPLY BY NO. KAUEDU/914/2024-EDU C1 DATED 29-07-2024 ISSUED BY THE STATE PUBLIC INFORMATION OFFICER OF THE 2ND RESPONDENT UNIVERSITY
Annexure A8	A TRUE COPY OF THE RTI APPLICATION DATED 24.10.2024 SUBMITTED BY SRI.SANITH P.K. AND ITS REPLY BY NO. IDS-1(2)-898871/2024/GW DATED 16-02-2024 ISSUED BY THE 3RD RESPONDENT
Annexure A9	A TRUE COPY OF THE REPLY LETTER NO. ID-1(4)-1283471/2025/GW DATED 24.11.2025 ISSUED BY THE UNDER SECRETARY & STATE PUBLIC INFORMATION OFFICER OF THE KERALA PUBLIC SERVICE COMMISSION UNDER THE RIGHT



TO INFORMATION ACT, 2005

Annexure A 10

A TRUE COPY OF THE RELEVANT EXTRACT OF THE APPOINTMENT ORDER NO. KAUGA/8954/2025-GA B1 DATED 15.12.2025 ISSUED BY THE KERALA AGRICULTURAL UNIVERSITY

Exhibit P1

A TRUE COPY OF THE ORDER DATED 12.02.2026, PASSED BY THE KERALA ADMINISTRATIVE TRIBUNAL, ERNAKULAM IN M.A.(EKM) NO.240 OF 2026 IN O.A. (EKM) NO. 1597 OF 2025

Exhibit P2

A TRUE COPY OF THE MEMORANDUM OF O.A.(EKM)NO. 1597 OF 2025 INSTITUTED BEFORE THE KERALA ADMINISTRATIVE TRIBUNAL, ERNAKULAM BY APPLICANTS THEREIN ALONG WITH ITS ANNEXURES

Exhibit P3

A TRUE COPY OF M.A.(EKM) NO.1804 OF 2025 INSTITUTED BEFORE THE KERALA ADMINISTRATIVE TRIBUNAL, ERNAKULAM BY APPLICANTS THEREIN ALONG WITH ANNEXURE

Exhibit P4

A TRUE COPY OF THE ORDER DATED 05.12.2025, PASSED BY THE KERALA ADMINISTRATIVE TRIBUNAL, ERNAKULAM IN M.A.(EKM) NO.1803 OF 2025 IN O.A. (EKM) NO. 1597 OF 2025

Exhibit P5

A TRUE COPY OF M.A.(EKM) NO.240 OF 2026 INSTITUTED BEFORE THE KERALA ADMINISTRATIVE TRIBUNAL, ERNAKULAM BY APPLICANTS THEREIN ALONG WITH ANNEXURE