



[OP(KAT) Nos. 399/2022, 379/2023 & 198/2024]

-:1:-

2024:KER:85936

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR. JUSTICE P.M.MANOJ

TUESDAY, THE 19<sup>TH</sup> DAY OF NOVEMBER 2024 / 28TH KARTHIKA, 1946

OP(KAT) NO. 399 OF 2022

AGAINST ORDER DATED 16/9/2022 IN O.A.No.1457/2020 OF THE KERALA

ADMINISTRATIVE TRIBUNAL

PETITIONER/S:

KERALA PUBLIC SERVICE COMMISSION,  
REPRESENTED BY ITS SECRETARY, PATOM P.O.,  
THIRUVANANTHAPURPAM-695004, KERALA.

BY ADV P.C.SASIDHARAN

RESPONDENT/S:

- 1 VILAYATHULLA P.H.,  
AGED 30 YEARS  
S/O P.G.HAMEED BAVA, PAYYAPPILLIL HOUSE, KARUMALLOOR  
P.O., MANAKKAPPADY, ERNAKULAM, KERALA -683511.
- 2 ATHUL M.P.,  
AGED 25 YEARS  
S/O SURENDRAN M.P., MAVANNUR PADIKKAL HOUSE,  
CHERUKULATHOOR P.O., KOZHIKODE-673008, KERALA., PIN -  
673008
- 3 ANSU S.,  
AGED 29 YEARS  
S/O SHANAVAS KHAN, AISWARYA, VANDA, NEDUMANGAD P O,  
THIRUVANANTHAPURAM-695541, KERALA.



[OP(KAT) Nos. 399/2022, 379/2023 & 198/2024]

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- 4 SREEKANTH S.,  
AGED 29 YEARS  
S/O SASANKAN NAIR, SASANKA VILASOM, PERETIL, MOONGODU  
P O, OTTOOR, THIRUVANANTHAPURAM- 695144, KERALA.
- 5 SARATH P.,  
AGED 28 YEARS  
S/O MOHANAN, MALETH HOUSE, PANANGAD, P O, BALUSSERY  
(VIA), KOZHIKODE-673612, KERALA., PIN - 673612
- 6 STATE OF KERALA,  
REPRESENTED BY THE SECRETARY TO GOVERNMENT, HOME  
DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-  
695001, KERALA .
- 7 THE DIRECTOR GENERAL,  
FIRE AND RESCUE SERVICES HEADQUARTERS, HOUSING BOARD  
JUNCTION, THIRUVANANTHAPURAM-695001, KERALA.

BY ADVS.  
P.NANDAKUMAR  
AMRUTHA SANJEEV  
VIVEK VIJAYAKUMAR  
RIYA TOMY  
SENIOR GOVERNMENT PLEADER SHRI A.J.VARGHESE

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY  
HEARD ON 25.10.2024, ALONG WITH OP(KAT).379/2023 AND CONNECTED  
CASES, THE COURT ON 19.11.2024 DELIVERED THE FOLLOWING:



[OP(KAT) Nos. 399/2022, 379/2023 & 198/2024]

-:3:-

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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.M.MANOJ

TUESDAY, THE 19<sup>TH</sup> DAY OF NOVEMBER 2024 / 28TH KARTHIKA, 1946

OP(KAT) NO. 379 OF 2023

AGAINST THE ORDER DATED 10.08.2023 IN RA NO.21 OF 2023 OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM ARISING OUT OF THE ORDER DATED IN OA NO.1457 OF 2020 OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONER/S:

- 1 REJIMON.P.P,  
AGED 32 YEARS  
S/O.PUSHKARAN, RESIDING AT POKKALAYIL  
HOUSE,PALLITHODE.P.O., CHERTHALA, ALAPPUZHA-, PIN -  
688544
- 2 SACHU K.PRABHA,  
AGED 27 YEARS  
S/O.PRABHAKARAN , RESIDING AT KALLATTU, KAVIPURAM,  
MUHAMMA.P.O, CHERTHALA, ALAPPUZHA., PIN - 688525
- 3 ANANDU.S,  
AGED 25 YEARS  
S/O.SURESH.P, RESIDING AT ANANDU NIVAS, ALUMMOODU,  
KARINGANNOOR.P.O, KOLLAM., PIN - 691516
- 4 ANEESH.M,  
AGED 27 YEARS  
S/O.P.K.MURALEEDHARAN NAIR, RESIDING AT KARUNA',  
AYAPARAMBU, CHERUTHANA, AYAPARAMBU, KARTHIKAPPALLY,  
ALAPPUZHA., PIN - 690517



[OP (KAT) Nos. 399/2022, 379/2023 &amp; 198/2024]

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- 5      AKHIL.V.K,  
         AGED 27 YEARS  
         S/O.RADHAKRISHNAN, RESIDING AT VAZHEKKAD, PULLANIVATTA,  
         KUNDURKUNNU.P.O, THACHANATTUKARA, KUNDURKUNNU, PALAKKAD  
         ., PIN - 678583
- 6      DHANESH MALLAN.K.R,  
         AGED 25 YEARS  
         S/O.RAMESH MALLAN, RESIDING AT THIRUVONAM',  
         KANNANPARAMBIL, PERUMANAM COTTAGE ROAD, NORTH PARAVUR,  
         ERNAKULAM ., PIN - 683513
- 7      MIDHUN KUMAR.M,  
         AGED 32 YEARS  
         S/O.SREEKUMARI.R, RESIDING AT MIDHUN BHAVANM,  
         VADAKKUMBHAGOM, CHAVARA SOUTH P.O, KOLLAM ., PIN -  
         691584
- 8      AKASH THOMAS  
         AGED 27 YEARS  
         S/O.THOMAS.K.P, RESIDING AT KALLIKKATT HOUSE,  
         VARANDARAPPILLY, PAYYAKKARA.P.O, VARANDARAPPILLY, VTC,  
         THRISSUR, PIN - 680303
- 9      ANAND.P ,  
         AGED 26 YEARS  
         S/O.PRASAD, RESIDING AT PATTASSERRIL, KAPPIL EAST,  
         KRISHNAPURAM.P.O, ALAPPUZHA ., PIN - 690533
- 0      ANANDU.J,  
         AGED 29 YEARS  
         S/O.JAYAKUTTAN, RESIDING AT BINDHU BHAVANAM, MEENAM,  
         PATTAZHI, PATTAZHI.P.O, KOLLAM, PIN - 691522
- 11     EUGINE JUD,  
         AGED 28 YEARS  
         S/O.JOHNSON.L, RESIDING AT KOCHU PUTHEN VEEDU,  
         PADAPPRACKARA.P.O, MULAVANA, KOLLAM., PIN - 691503
- 12     JOHN BRITTO  
         AGED 27 YEARS  
         S/O.JOHNSON, RESIDING AT KOCHU PUTHEN VEEDU,  
         PADAPPRACKARA.P.O, MULAVANA, KOLLAM- 691503., PIN -  
         691503
- 13     NIKHIL.K.V



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AGED 29 YEARS

S/O.VASU.K.K, RESIDING AT KARIYAPPARA HOUSE, KIZHAKKE  
KUTTICHIRA, KUTTICHIRA.P.O, THRISSUR., PIN - 680724

14 PRAVEEN.V.B

AGED 34 YEARS

S/O.BIJU.R, , RESIDING AT VRINDAVANAM',  
KUMARANALLOOR.P.O, KOTTAYAM., PIN - 686016

15 SUDHEESH.K.S

AGED 31 YEARS

S/O.SURENDRAN, RESIDING AT KOLUTHARAVELI,  
MARUTHORVATTOM.P.O, CHERTHALA, ALAPPUZHA , PIN - 688539

16 VAISAKH.R.U,

AGED 27 YEARS

S/O.UNNIKRISHNAN.R.V, RESIDING AT RAMATTUCHIRA,  
KADAKKARAPPALLY, NEAR 552 SNDP OFFICE,  
KADAKKARAPPALLY.P.O, CHERTHALA, ALAPPUZHA., PIN -  
688529

17 VISHNURAJ.K,

AGED 30 YEARS

S/O.RAJAN.K.V, RESIDING AT KARITHARA HOUSE,  
PARAPPURAM.P.O, PUTHIYEDAM, ERNAKULAM . PIN - 683575

18 SHYJAN GEORGE,

AGED 28 YEARS

S/O.GEORGE, RESIDING AT KALAVILAYIL,  
VALAYANCHIRANGARA.P.O, VENGOLA, ERNAKULAM . PIN -  
683556

19 VISAKH.M.S

AGED 27 YEARS

S/O.MADHUSOODHANAN NAIR, RESIDING AT VISHNU BHAVAN,  
ELAVANKUZHI, KUNNATHUKAL.P.O, NEYYATTINKARA,  
THIRUVANANTHAPURAM, PIN - 695504

0 JUBIN A.JOHNY

AGED 31 YEARS

S/O.D.JOHNY, RESIDING AT RAJAN HOUSE, EZHAKODE,  
PERUKAVU.P.O, MALAYINKEEZHU, THIRUVANANTHAPURAM , PIN -  
695573

21 ARUN.P.S,

AGED 30 YEARS



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S/O.SREENIVASAN, RESIDING AT SREENIVAS, AITHOTTUVA,  
WEST KALLADA, KOLLAM, PIN - 691500

- 22 VISHNU.R.R  
AGED 26 YEARS  
S/O.RAVEENDRAN, RESIDING AT BHAGAVATHI NILAYAM, PTP  
NAGAR, VENPAKAL.P.O, ATHIYANNOOR (PART),  
THIRUVANANTHAPURAM, PIN - 695123
- 23 MIDHUN.S.S,  
AGED 30 YEARS  
S/O.SASIKUMAR.A, RESIDING AT MEENU BHAVAN, THOPPIL,  
KARAVARAM.P.O, THEVALAKKAD, THIRUVANANTHAPURAM ., PIN -  
695605
- 24 VISHNU.S,  
AGED 31 YEARS  
S/O.SHANMADHURAN, RESIDING AT MUDAKATHIL,  
PUTHENTHURA.P.O, NEENDAKARA, KOLLAM., PIN - 691582
- 25 ABHIJITH.B,  
AGED 30 YEARS  
S/O.BABU, RESIDING AT THERUVIL, KANICHUKULANGARA.P.O,  
MARARIKULAM NORTH, ALAPPUZHA., PIN - 688582

BY ADVS.  
M.U.VIJAYALAKSHMI  
K.JAJU BABU (SR.)  
BRIJESH MOHAN  
D.SREEKUMAR (KALAMASSERY)  
SACHIN RAMESH  
T.S.ATHIRA  
AKASH JOSHI

RESPONDENT/S:

- 1 VILAYATHULLA.P.H,  
AGED 30 YEARS, S/O.P.G.HAMEED BAVA, PAYYAPPILLIL HOUSE,  
KARUMALLOOR.P.O, MANAKKAPPADY, ERNAKULAM, KERALA  
683511.
- 2 ATHUL.M.P  
AGED 25 YEARS, S/O.SURENDRAN.M.P, MAVANNUR PADIKKAL



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HOUSE, CHERUKULATHOOR.P.O, KOZHIKODE , KERALA., PIN - 673008

- 3 ANSU.S  
AGED 29 YEARS, S/O.SHANAVAS KHAN, AISWARYA, VANDA,  
NEDUMANGAD.P.O, THIRUVANANTHAPURAM , KERALA., PIN - 695541
- 4 SREEKANTH.S,  
AGED 29 YEARS  
AGED 29 YEARS, S/O.SASANKAN NAIR, SASANKA VILASOM,  
PARETTIL, MOONGODU.P.O, OTTOOR, THIRUVANANTHAPURAM .  
KERALA., PIN - 695144
- 5 SARATH.P  
AGED 28 YEARS, S/O.MOHANAN, MALETH HOUSE, PANANGAD.P.O,  
BALUSSERY (VIA), KOZHIKODE, KERALA., PIN - 673612
- 6 STATE OF KERALA,  
REPRESENTED BY THE SECRETARY TO GOVERNMENT, HOME  
DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,  
KERALA., PIN - 695001
- 7 THE DIRECTOR GENERAL  
FIRE AND RESCUE SERVICES HEADQUARTERS, HOUSING BOARD  
JUNCTION, THIRUVANANTHAPURAM, PIN - 695001
- 8 KERALA PUBLIC SERVICE COMMISSION  
REPRESENTED BY ITS SECRETARY, PATTOM P.O.,  
THIRUVANANTHAPURAM-, KERALA., PIN - 695004

BY ADVS.

Nandakumar P

AMRUTHA SANJEEV(K/001000/2016)

VIVEK VIJAYAKUMAR(K/1018/2016)

RIYA TOMY(K/002324/2021)

SENIOR GOVERNMENT PLEADER SHRI A.J.VARGHESE

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP FOR  
ADMISSION ON 19.11.2024, ALONG WITH OP(KAT).399/2022, 198/2024,  
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



[OP (KAT) Nos. 399/2022, 379/2023 & 198/2024]

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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.M.MANOJ

TUESDAY, THE 19<sup>TH</sup> DAY OF NOVEMBER 2024 / 28TH KARTHIKA, 1946

OP (KAT) NO. 198 OF 2024

AGAINST THE ORDER DATED 12/4/2024 IN OA (EKM) NO.616 OF 2024  
OF KERALA ADMINISTRATIVE TRIBUNAL AT THIRUVANANTHAPURAM  
(ADDITIONAL BENCH, ERNAKULAM)

PETITIONER/S:

- 1 ANANDU A  
AGED 28 YEARS  
S/O. AJI, KANNATTUCHIRAYIL, MANNANCHERRY P.O.,  
MANNANCHERY, ALAPPUZHA, PIN - 688538
- 2 PRADEESHKUMAR P.P  
AGED 31 YEARS  
S/O. PURUSHAN P.V., PUTHENPURAVELIYIL, AVALOOKUNNU,  
KOMALAPURAM, ALAPPUZHA, PIN - 688006
- 3 ARJUN K.P  
AGED 30 YEARS  
KANAMPURATHMEETHAL, IRUVALLUR, CHELANNUR, KOZHIKODE,  
PIN - 673616
- 4 SANOOP M.V  
AGED 33 YEARS  
KARIYIL HOUSE, KOLACHERY, KANNUR, PIN - 670601
- 5 JIDHIN GOVIND  
AGED 30 YEARS





[OP(KAT) Nos. 399/2022, 379/2023 & 198/2024]  
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THEVARUPARAMBIL, JESSY, PILAKKAVU, WAYANAD, PIN -  
670645

BY ADV C.K.SREEJITH

RESPONDENT/S:

- 1      STATE OF KERALA  
        REP. BY SECRETARY, DEPARTMENT HOME, SECRETARIAT,  
        THIRUVANANTHAPURAM, PIN - 682031
  
- 2      THE SECRETARY  
        KERALA PUBLIC SERVICE COMMISSION, THULASI HILLS, PATTOM  
        PALACE P.O., THIRUVANANTHAPURAM, PIN - 695004

BY  
SENIOR GOVERNMENT PLEADER SHRI A.J.VARGHESE  
ADV.P.C.SASIDHARAN, SC, PSC

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP FOR  
ADMISSION ON 19.11.2024, ALONG WITH OP(KAT).379/2023 AND CONNECTED  
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



[OP (KAT) Nos. 399/2022, 379/2023 & 198/2024]  
-:10:-

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## **J U D G M E N T**

**“C.R”**

**Dated this the 19<sup>th</sup> day of November, 2024**

**A.Muhamed Mustaque, J.**

In these matters, the Kerala Public Service Commission (PSC), as well as candidates included in a ranked list published by the PSC on 16/05/2023 for appointment to the post of Fire and Rescue Officer (Driver) (Trainee), challenges the order of the Tribunal. This is for the reason that, for recruitment to the same post, the Tribunal, based on the ranked list dated 10/10/2019, ordered an extension of the period of the said ranked list (10/10/2019) on the ground that an interim order passed by the Tribunal in another matter curtailed its lifespan. Therefore, the Tribunal ordered that



[OP (KAT) Nos. 399/2022, 379/2023 &amp; 198/2024]

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the ranked list shall run for an additional period equivalent to the period of interim order from 18/12/2019 to 18/01/2021.

2. The facts of the case are as follows:

PSC invited applications for selection to the post of Fireman Driver-cum-Pump Operator (Trainee) in the Fire and Rescue Services as per a notification dated 12/05/2017. The ranked list came into force with effect from 10/10/2019. The ranked list was cancelled by the PSC on 09/10/2020. During the currency of the ranked list, a challenge was raised against the qualification for appointment as Fireman Driver-cum-Pump Operator (Trainee). The Tribunal as per order in O.A.[EKM].No.666/2018 and connected cases passed an interim order on 18/12/2019 interdicting PSC from advising the candidates from the ranked list. This stay continued till 18/01/2021. As a result of the above order, no advice was made. The Tribunal thereafter dismissed the challenge on 18/01/2021. A fresh original application was filed as O.A. No. 1457/2020 seeking an extension of the validity of the ranked list equal to the period during which the interim order was granted by the Tribunal from 18/12/2019 to 18/01/2021. That had been allowed. This is how



[OP (KAT) Nos. 399/2022, 379/2023 &amp; 198/2024]

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O.P.(KAT).No.399/2022 was filed before this Court challenging the order of the Tribunal by PSC. The candidates in the ranked list dated 16/5/2023 filed O.P.(KAT).No.379/2023 challenging the very same order. O.P.(KAT).No.198/2024 was filed by another set of candidates included in the ranked list dated 16/5/2023 for an extension of the validity of their ranked list.

3. The Tribunal, in O.A.No.1457/2020 placed reliance on the Full Bench judgment of this Court in **Unnikrishnan Nair G.S. and Others v. State of Kerala and Others [2019 (2) KHC 24]** to extend the period. We shall examine the applications of the above judgment in this matter at a later stage.

4. It is to be noted that 62 vacancies were reported during the currency of the ranked list and upon disposal of the case, all advices were issued. There was no interdiction against the reporting of vacancies. Pursuant to a fresh notification, 80 vacancies were reported. Rule 13 of Kerala Public Service Commission Rules of Procedure prescribes the procedure to be followed after the publication of a ranked list. Under Rule 13, a ranked list published is normally in force for a period of one year



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provided that the said list will continue to be in force till the publication of a new list after the expiry of a minimum period of one year or till the expiry of three years whichever is earlier. Under the 4th proviso to Rule 13, if no candidate is advised during the period of one year, the life of the ranked list will be extended till the expiry of 3 years; and also for a further period of one year, if the situation continues. Under the 5th proviso to Rule 13, if there is a period of general ban declared by the Government in reporting the vacancies, PSC will have the power to keep the ranked list alive for such another period, as it may be decided, subject to minimum period of three months or for such other period not exceeding one and a half year in aggregate.

5. A Division Bench of this Court in **KPSC v. Dr.Kesavankutty Nair (1977 KHC 287)** in similar circumstances held that the principles of *actus curiae neminem gravabit* does not apply. Another Division Bench of this Court in **Unnikrishnan Nair's** case (supra) doubted the correctness of the law laid down by the Division Bench in **Dr.Kesavankutty Nair's** case and, accordingly, referred the matter to the Full Bench. The Full Bench, in



**Unnikrishnan Nair's** case, affirmed the law laid down in **Dr.Kesvankutty Nair's** case. While upholding so, it was observed that "normally, it is only in two specific contingencies can the expiry of a ranked list obtain postponement; namely, if a Court interdicts the appointing authorities from reporting vacancies to Public Service Commission during its life time; or, if a Court prohibits Public Service Commission from making advice from the rank list within the period of one year or such other periods as may be statutorily prescribed." Relying on this observation, apparently, the Tribunal in O.A.No.1457/2020 held that the period can be extended. We are of the view that the Tribunal completely misread the judgment in **Dr.Kesvankutty Nair's** case (supra) as affirmed by the Full Bench. The Full Bench referred to the circumstances under which extension can be allowed, but it cannot be understood as a declaration of law. It is only a reference to the circumstances in which possibly an extension can be sought. On the other hand, the Full Bench affirmed the decision of **Dr.Kesvankutty Nair's** case (supra) holding that *actus curiae neminem gravabit* cannot be relied on in those circumstances.



6. This Court in a recent judgment in Writ Appeal No. 614/2024 and connected case, dated 11/11/2024, in paragraph 11, held as follows:

11. We need to outline the cautious application of the legal principle *Actus Curiae Neminem Gravabit* (the act of the court shall prejudice no-one). To invoke this principle, two essential conditions must be met:

1. **Existence of Adverse Proceedings:** A court or authority must have issued proceedings or orders that adversely affect a litigant due to factors such as error, mistaken judgment, or undue delay.
2. **Demonstrated Prejudice:** These adverse proceedings must have caused actual prejudice or disadvantage to the litigant.

This principle does not, on its own, create rights or claims; rather, it serves as a remedial measure within the administration of justice when a judicial error has caused harm. Courts must avoid extending this principle to confer new rights or benefits. *Actus Curiae Neminem Gravabit* does not inherently grant rights or claims to litigants; rather, it is a remedy that courts can consider within the administration of justice when a litigant has been harmed by procedural or judicial error. Courts must also ensure that the application of this principle is not extended beyond its purpose to inadvertently create new rights or benefits. In “extreme situations” on a carefully weighed consideration court can invoke it, as an independent action outside the context of prior proceedings. In such



situations, courts should carefully assess whether the litigant previously had an opportunity to seek remedy and if the alleged prejudice could have been addressed in prior proceedings. If the court cannot independently analyse the disadvantage without reference to earlier proceedings, it should avoid applying the principle of *Actus Curiae Neminem Gravabit* in a way that implies an independent right or benefit for the litigant. Instead, the principle should be used only as a remedial measure within the scope of existing litigation, and not as a basis for creating new entitlements.

7. It is to be noted that the applicants before the Tribunal failed to prove that any harm has been caused to them due to the interim order passed in the earlier litigation. It is also to be noted that there was no interdiction against reporting vacancies to PSC. PSC has acknowledged receipt of the proforma that report vacancies. The only interdiction was against issuing advice memo as against the vacancies reported. Therefore, there is no scope for relying on the maxim *actus curiae neminem gravabit*. Further, PSC is a constitutional body. Under 5th proviso to Rule 13 of the Kerala Public Service Commission Rules of Procedure, PSC alone is empowered under law to take a decision as to the extension of the period, that too, in the circumstances referred to in the 5th proviso. The Tribunal could not have directed PSC to extend life of the





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ranked list equivalent to the period of interim order as the applicants before the Tribunal failed to make out a case that there was a ban in reporting vacancies to PSC. Thus, the order of the Tribunal in O.A.No.1457/2020 dated 16/9/2022 is set aside. O.P. (KAT).No.399/2022 is allowed.

**O.P.(KAT).No.379/2023**: This original petition is filed against the order of the Tribunal dismissing a review application filed against the order in O.A.No.1457/2020 aggrieved by the order in O.A.No.1457/2020, dated 16/9/2022. In light of the disposal of O.P.(KAT).No.399/2022 setting aside the order in O.A.No.1457/2020, dated 16/9/2022, O.P.(KAT).No.379/2023 is, disposed of.

**O.P.(KAT).No.198/2024**: This case is filed against the order of the Tribunal in O.A.(EKM).No.616/2024, dated 12/4/2024. The Tribunal dismissed the application filed by the petitioners for extending validity of a ranked list based on an interim order granted in O.P.(KAT).No.399/2022 extending validity of a previous ranked list. In light of the disposal of O.P.(KAT).No.399/2022 setting aside the order in O.A.No.1457/2020, dated 16/9/2022, we



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find no reason to interfere with the order of the Tribunal. O.P.  
(KAT).No.198/2024 is therefore dismissed.

The original petitions are disposed of as above.

**Sd/-**  
**A.MUHAMED MUSTAQUE**  
**JUDGE**

**Sd/-**  
**P.M.MANOJ**  
**JUDGE**

ms



[OP(KAT) Nos. 399/2022, 379/2023 & 198/2024]

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APPENDIX OF OP(KAT) 399/2022

PETITIONER ANNEXURES

Annexure A1	ANNEXURE A1:- TRUE COPY OF THE NOTIFICATION DATED 12.05.2017 UNDER CAT NO. 070/2017 ISSUED BY THE THIRD RESPONDENT
Annexure A2	ANNEXURE A2:- TRUE COPY OF THE RANKED LIST NO. 540/2019/ERIX BROUGHT INTO EFFECT FROM 10.10.2019 ISSUED BY THE THIRD RESPONDENT
Annexure A3	ANNEXURE A3:- TRUE COPY OF INTERIM ORDER DATED 18.12.2019 IN OA EKM NO. 666 OF 2018
Annexure A4	ANNEXURE A4:- TRUE COPY OF GO(P) NO. 243/2014/HOME DATED 26.11.2014 ISSUED BY THE 1ST RESPONDENT
Annexure A5	ANNEXURE A5:- TRUE COPY OF GO(P) NO. 124/2017/HOME DATED 19.07.2017 ISSUED BY THE 1ST RESPONDENT
Annexure A6	ANNEXURE A6:- TRUE COPY OF THE ORDER DATED 30.11.2021 IN OA NO. 611 OF 2021
Annexure A7	ANNEXURE A7:- TRUE COPY OF THE PRINT OUT OF THE STATUS OF POSTS OF FIREMAN DRIVER AS PUBLISHED IN THE WEBSITE OF THE KERALA PUBLIC SERVICE COMMISSION
Exhibit P1	EXHIBIT P1:- THE TRUE COPY OF THE O.A. NO.1457/2020 FILED BEFORE THE TRIBUNAL
Exhibit P2	EXHIBIT P2:- THE TRUE COPY OF REPLY STATEMENT DATED 25/11/2021 FILED BY THE PUBLIC SERVICE COMMISSION IN THE O.A
Exhibit P3	EXHIBIT P3:- . THE TRUE COPY OF THE REJOINDER DATED 27/1/2022 FILED BY THE APPLICANTS
Exhibit P4	EXHIBIT P4:- THE TRUE COPY OF THE MISCELLANEOUS APPLICATION DATED 30/6/2022 ALONG WITH ANNEXURE FILED BY THE APPLICANTS



[OP(KAT) Nos. 399/2022, 379/2023 & 198/2024]

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Exhibit P5

EXHIBIT P5:- TRUE COPY OF THE ORDER IN O.A.  
NO. 1457/2020 DATED 16/09/2022

RESPONDENT EXHIBITS

Exhibit R1(a)

True copy of interim order dated 08.10.2020  
in OA No. 1457 of 2020

Exhibit R1(b)

True copy of Letter No. FIRE HQ/463/2022-E4  
dated 14.10.2022 issued by the 7th respondent  
to the petitioner

Exhibit R1(c)

True English Translation of Exhibit R1(b) .



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APPENDIX OF OP(KAT) 198/2024

PETITIONER ANNEXURES

Annexure A1	THE TRUE COPY OF THE RANK LIST NO. 325/2023/ERXIII ISSUED BY 2ND RESPONDENT PURSUANT TO CATEGORY NO. 36/2020 FOR THE POST OF FIRE & RESCUE OFFICER (DRIVER) (TRAINEE)
Annexure A2	THE TRUE COPY OF THE ORDER IN O.A(EKM) NO. 1457/2020 ON THE FILE OF KERALA ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH DT.16/9/2022
Annexure A3	THE TRUE COPY OF THE INTERIM ORDER IN O.P (KAT) NO. 399/2022 ON THE FILE OF HON'BLE HIGH COURT OF KERALA, ERNAKULAMD.T. 31/5/2023
Annexure A4	THE TRUE COPY OF THE INTERIM ORDER IN O.P (KAT) NO. 399/2022 ON THE FILE OF HON'BLE HIGH COURT OF KERALA, ERNAKULAMD.T. 13/6/2023
Annexure A5	THE TRUE COPY OF THE INTERIM ORDER IN O.P (KAT) NO. 399/2022 ON THE FILE OF HON'BLE HIGH COURT OF KERALA, ERNAKULAMD.T. 23/6/2023
Exhibit P1	THE TRUE COPY OF THE MEMORANDUM IN O.A(EKM) NO. 616/2024 ON THE FILE OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM (ERNAKULAM BENCH)
Exhibit P2	THE TRUE COPY OF THE ORDER IN O.A(EKM) NO. 616/2024 ON THE FILE OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM (ERNAKULAM BENCH) DT. 12/4/2024
Exhibit P3	THE TRUE COPY OF THE JUDGMENT IN O.P. (KAT) NO. 378/2023 ON THE FILE OF HON'BLE HIGH COURT OF KERALA DT. 11/9/2023
Exhibit P4	THE TRUE COPY OF THE JUDGMENT IN O.P. (KAT) NO. 484/2023 ON THE FILE OF HON'BLE HIGH COURT OF KERALA DT.3/11/2023
Exhibit P5	THE TRUE COPY OF THE LETTER DT. 26/9/2023



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ISSUED BY THE DIRECTOR GENERAL OF FIRE &  
RESCUE SERVICE, TRIVANDRUM



[OP(KAT) Nos. 399/2022, 379/2023 & 198/2024]

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APPENDIX OF OP(KAT) 379/2023

PETITIONER ANNEXURES

Annexure A1	TRUE COPY OF NOTIFICATION DATED 12-5-2017 UNDER CAT.NO.070/2017 ISSUED BY THE KERALA PUBLIC SERVICE COMMISSION.
Annexure A2	TRUE COPY OF RANKED LIST NO.540/2019/ERIX BROUGHT INTO EFFECT FROM 10.10.2019 ISSUED BY THE BY THE KERALA PUBLIC SERVICE COMMISSION
Annexure A3	TRUE COPY OF INTERIM ORDER DATED 18.12.2019 IN OA(EKM)NO.666 OF 2018 OF THE KERALA ADMINISTRATIVE TRIBUNAL.
Annexure A4	TRUE COPY OF GOVERNMENT ORDER G.O(P)NO.243/2014/HOME DATED 26.11.2014.
Annexure A5	TRUE COPY OF GOVERNMENT ORDER G.O(P)NO.124/2017/HOME DATED 19-7-2017.
Annexure A6	TRUE COPY OF ORDER DATED 30.11.2021 IN O.A.NO.611 OF 2021 PASSED BY THE KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM.
Annexure A7	TRUE COPY OF PRINT OUT OF THE STATUS OF POSTS OF FIREMAN DRIVER AS PUBLISHED IN THE WEBSITE OF THE KERALA PUBLIC SERVICE COMMISSION.
Annexure RA1	TRUE COPY OF RELEVANT EXTRACT OF THE RANK LIST NO. 325/2023/ERXIII (CATEGORY NO. 036/2020) DATED 16.5.2013 FOR THE POST OF FIRE AND RESCUE OFFICER (DRIVER) (TRAINEE) PUBLISHED BY THE KERALA PUBLIC SERVICE COMMISSION..
Annexure RA2	TRUE COPY OF THE ORDER DATED 16.09.2022 IN O. A. NO.1457/2020 OF THE KERALA ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH.
Exhibit P1	TRUE COPY OF THE ORIGINAL APPLICATION NO.1457/20 FILED BEFORE THE KERALA ADMINISTRATIVE TRIBUNAL ALONG WITH ANNEXURES A1 TO A5.



[OP(KAT) Nos. 399/2022, 379/2023 & 198/2024]

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- Exhibit P2 TRUE COPY OF THE REPLY STATEMENT DATED 25-11-2021 FILED BY THE 8TH RESPONDENT IN OA.NO.1457/2020.
- Exhibit P3 TRUE COPY OF THE REJOINDER DATED 27-1-2022 FILED BY THE APPLICANTS IN O.A.1457/20 ALONG WITH ANNEXURE A6.
- Exhibit P4 TRUE COPY OF THE MISCELLANEOUS APPLICATION FILED BY APPLICANTS IN THE O.A.NO.1457 OF 2020 ALONG WITH ANNEXURE A7.
- Exhibit P5 TRUE COPY OF THE ORDER DATED 16.09.2022 OF THE KERALA ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH IN O. A. NO.1457/2020.
- Exhibit P6 TRUE COPY OF REVIEW APPLICATION RA(EKM) NO.21 OF 2023 FILED BY THE APPLICANTS IN OA.NO.1457/2020 ALONG WITH ANNEXURES RA1 AND RA2.
- Exhibit P7 TRUE COPY OF THE ORDER DATED 10-8-2023 OF THE KERALA ADMINISTRATIVE TRIBUNAL ERNAKULAM BENCH IN RA(EKM)NO.21/2023 IN OA.NO.1457/20.