

Jayasankar G Vs Assistant Registrar Of Co Operative Societies (General)

Court: High Court Of Kerala

Date of Decision: Jan. 9, 2025

Hon'ble Judges: D.K.Singh, J

Bench: Single Bench

Advocate: Arjun Raghavan, T.R.Harikumar, Pooja Pankaj, Gilbert George Correya, Mary Beena Joseph, P C Sasidharan

Final Decision: Allowed

Judgement

D. K. Singh, J

1. The petitioner, who has been working as an Accountant in the sixth respondent Society since 01.09.2018, has approached this Court

seeking a writ of mandamus commanding the first respondent to issue a Service Certificate in the format prescribed in Ext.P2 notification for

the post of Clerk/Cashier in the Kerala State Co-operative Bank.

2. The first respondent has not issued the certificate on the ground that the petitioner's promotion to the post of Senior Clerk was not

valid, as he did not have the requisite experience in the post of Junior Clerk for promotion to the post of Senior Clerk.

3. The question which needs to be considered by the first respondent for issuing the certificate is whether the petitioner had worked in the post of

Accountant and for how long? For issuing the certificate of experience to the post of Accountant, the first respondent is not entitled to

go behind the promotion of the petitioner to the post of Senior Clerk inasmuch as nobody has challenged the promotion from the post of

Junior Clerk. The petitioner has been further promoted from Senior Clerk to Accountant and it would be too late in the day to

say that the petitioner's promotion to the post of Senior Clerk was not valid as he did not have the requisite experience.

4. In view thereof, this Court is of the considered view that the first respondent is not required to go behind the promotion of the petitioner to the post

of Senior Clerk from the post of Junior Clerk. The first respondent is required to issue the certificate of the petitioner working in the

post of Accountant and the period for which he has been working in the said post with the sixth respondent Society.

5. Thus, the present writ petition is allowed. The first respondent is directed to issue the certificate of experience to the petitioner in the format

prescribed in Ext.P2 notification by tomorrow (2.00 p.m.). The learned Senior Government Pleader will communicate this judgment to the first

respondent today to comply with the direction. Once the experience certificate is issued to the petitioner, the petitioner should upload the said

experience certificate on the website of the Kerala Public Service Commission forthwith. With the aforesaid direction, the present writ petition stands

allowed.

Handover.