

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5132 OF 2009
(Arising out of SLP(C)No. 24197/2007)

Deepu S.Kumar

...Appellant(s)

Versus



K.S.R.T.C. Sree C.T.COOL OF
ENG. STY. & ORS.

...Respondent(s)

WITH

CIVIL APPEAL NO. 5131 OF 2009
(Arising out of SLP(C) No. 25407/2007)

ORDER

In C.A...../2009 @ SLP(C) 25407/2007

Leave granted.

Mr. T.L.V. Iyer, the learned senior counsel for the appellant has taken us to the affidavit of Mr. B.R.Mohan Kumar, Law Officer to the Government of Kerala, on behalf of the State of Kerala, to the effect that respondent No.3 is indeed a State and, thus, amenable to the writ jurisdiction of the Court under Art.226 of the Constitution. He further states that in this view of the matter, the appeal needs to be allowed as the writ petition had been dismissed by the High court on the short ground that Respondent No.3 was not amenable to the writ



jurisdiction of the High Court.

We accordingly allow this appeal and set aside the impugned

order and remit the case to the High Court for a fresh decision on merits. In the light of the fact that some of the appellants are no longer in service, we request the High Court to dispose of the matter within six months, if possible .

In C.A.No...../2009 @ SLP(C) NO. 24197/2007

Leave granted.

In view of the order passed in C.A.No. 5132/2009 @ SLP(C)



No. 24197/2007, we allow this appeal and set aside the impugned order and remit the case to the High Court for a fresh decision on merits. In the light of the fact that some of the appellants are no longer in service, we request the High Court to dispose of the matter within six months, if possible .

..... J.
(HARJIT SINGH BEDI)

.....J.
(J.M. PANCHAL)

New Delhi,
July 31, 2009.

SUPREME COURT OF INDIA



JUDGMENT