

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

Con.Case(C).No. 1376 of 2014 (S)

AGAINST THE JUDGMENT IN WP(C) 16677/2014 of HIGH COURT OF KERALA
DATED 1.7.2014

PETITIONER(S)/WRIT PETITIONER:

THE MANAGER AGED 63 YEARS
KOTTATHALA SURENDRAN MEMORIAL VOCATIONAL HIGHER
SECONDARY SCHOOL
EDAVATTOM.P.O., EDAVATTOM, KOLLAM DISTRICT.

BY ADVS.SMT.K.R.KRISHNAKUMARI
SMT.P.V.RADHAMANI

RESPONDENT(S)/1ST RESPONDENT IN THE WPC:

SMT.K.S.SREEKALA
THE DEPUTY DIRECTOR OF EDUCATION, KOLLAM-691001.

BY ADV. GOVERNMENT PLEADER SRI.P.P.PADMALAYAN

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON
08-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

ANNEXURE A1: CERTIFIED COPY OF THE JUDGMENT OF THIS HON'BLE COURT DATED 1.7.2014 IN W.P.(C) NO.16677 OF 2014

ANNEXURE A2: TRUE COPY OF THE LETTER DATED 12.7.2014 SENT BY THE PETITIONER TO THE 1ST RESPONDENT.

ANNEXURE A3: TRUE COPY OF THE PROCEEDINGS NO.B1/8453/14 DATED 16.9.2014 ISSUED BY THE RESPONDENT.

ANNEXURE A4: TRUE COPY OF THE CONTEMPT NOTICE DATED 30.10.2014 SENT TO THE RESPONDENT.

ANNEXURE A5: TRUE COPY OF THE ORDER DATED 11.9.2014 ISSUED BY THE RESPONDENT.

RESPONDENT'S EXHIBITS:

ANNEXURE R1(a): TRUE COPY OF THE ATTENDANCE REGISTER SHOWING THE SIGNATURE OF THE PETITIONER.

ANNEXURE R1 (b) : TRUE COPY OF THE REQUEST OF THE MANAGER.

ANNEXURE R1(c) : TRUE COPY OF THE REPLY TO ANNEXURE 4.

/ TRUE COPY /

P.S.TO JUDGE

P.N.RAVINDRAN,J.

Contempt Case (C)No.1376 of 2014

Dated this the 8th day of April, 2015

JUDGMENT

This contempt case is filed alleging that the respondent herein has willfully disobeyed the directions contained in the judgment delivered on 1.7.2014 in W.P.(C)No.16677 of 2014. By that judgment this Court directed the respondent herein, the Deputy Director of Education, Kollam, to hear and dispose of the appeal filed by the petitioner within an outer limit of two months from the date on which he produces a copy of the judgment along with a copy of the writ petition, complete in all aspects, before the Deputy Director of Education. The case set out in the instant contempt case is that though by Annexures A3 and A5 orders the appeal has been partly disposed of, the appeal in so far as it relates to the staff fixation order for the academic year 2013-14 has not been disposed of. A reading of Annexure A5 order discloses that the Deputy Director of Education, Kollam has rejected the petitioner's request to revise the staff fixation order for the academic year 2013-14 on the ground that as per Government order G.O.(P)No.124/14/G.Edn. dated 4.7.2014, the staff fixation order for the year 2010-11 will govern the academic year

2013-14 as well and therefore, an order of staff fixation cannot be issued. In such circumstances it cannot be said that the respondent has not considered the petitioner's grievance regarding the staff fixation order for the year 2013-14. The respondent has in paragraph 4 of the affidavit sworn to by her stated that the petitioner's request in that regard was considered and rejected in the light of the Government order dated 4.7.2014. I therefore, find no good grounds to proceed further with the contempt case.

The contempt case fails and it is dismissed, reserving liberty with the petitioner to challenge Annexures A3 and A5 orders in other appropriate proceedings.

**P.N.RAVINDRAN,
JUDGE**

ahg.

P.N.RAVINDRAN,J.

Cont.Case (C)No.1376 of 2014

JUDGMENT

8th April, 2015