

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 3RD DAY OF AUGUST 2015/12TH SRAVANA, 1937

RP.No. 345 of 2015 (T)

JUDGMENT DATED 19-02-2015 IN WP(C) 5152/2015
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REVIEW PETITIONER(S)/5TH RESPONDENT:

**SMT.P.R.PRASANNAKUMARI,
HEADMISTRESS (UNDER SUSPENSION), S.N.V.U.P.SCHOOL,
SELLIAMPARA, IDUKKI DISTRICT - 685 563.**

**BY ADVS.SRI.ELVIN PETER P.J.
SRI.K.R.GANESH**

RESPONDENT(S)/PETITIONER & RESPONDENTS 1 TO 4:

- 1. THE MANAGER, S.N.V.U.P. SCHOOL, SELLIAMPARA,
IDUKKI DISTRICT - 685 563.**
- 2. THE STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM -695 001.**
- 3. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
JAGATHY, THIRUVANANTHAPURAM - 695 014.**
- 4. THE ASSISTANT EDUCATIONAL OFFICER,
ADIMALY, IDUKKI DISTRICT - 685 561.**
- 5. SMT. P.S.KUTTYAMMA,
ASSISTANT EDUCATIONAL OFFICER, ADIMALY.
IDUKKI DISTRICT, PIN - 685 561.**

**R2-R4 BY GOVERNMENT PLEADER SRI.GIKKU JACOB
BY ADV. SRI.V.A.MUHAMMED**

**THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 03-08-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE A1: TRUE COPY OF THE MEMO DTD.20.9.2011 ISSUED BY THE
1ST RESPONDENT TO THE PETITIONER.**

**ANNEXURE A2: TRUE COPY OF THE MEMO DTD.22.9.2011 ISSUED BY THE
1ST RESPONDENT TO THE PETITIONER.**

**ANNEXURE A3: TRUE COPY OF THE MEMO DTD.10.11.2011 ISSUED BY THE
1ST RESPONDENT TO THE PETITIONER.**

**ANNEXURE A4: TRUE COPY OF THE MEMO DTD.3.6.2012 ISSUED BY THE
1ST RESPONDENT TO THE PETITIONER.**

**ANNEXURE A5: TRUE COPY OF THE MEMO DTD.21.11.2012 ISSUED BY THE
1ST RESPONDENT TO THE PETITIONER.**

**ANNEXURE A6: TRUE COPY OF THE MEMO DTD.3.1.2013 ISSUED BY THE
1ST RESPONDENT TO THE PETITIONER.**

**ANNEXURE A7: TRUE COPY OF THE MEMO DTD.15.1.2013 ISSUED BY THE
1ST RESPONDENT TO THE PETITIONER.**

**ANNEXURE A8: TRUE COPY OF THE MEMO DTD.8.2.2013 ISSUED BY THE
1ST RESPONDENT TO THE PETITIONER.**

**ANNEXURE A9: TRUE COPY OF THE MEMO DTD.11.5.2013 ISSUED BY THE
1ST RESPONDENT TO THE PETITIONER.**

**ANNEXURE A10: TRUE COPY OF THE MEMO DTD.15.5.2013 ISSUED BY THE
1ST RESPONDENT TO THE PETITIONER.**

**ANNEXURE A11: TRUE COPY OF THE MEMO DTD.18.5.2013 ISSUED BY THE
1ST RESPONDENT TO THE PETITIONER.**

**ANNEXURE A12: TRUE COPY OF THE SUSPENSION ORDER DTD.15.11.2011 ISSUED
BY THE 1ST RESPONDENT TO THE PETITIONER.**

**ANNEXURE A13: TRUE COPY OF THE LETTER DTD.28.11.2011 DRAFTED BY THE
1ST RESPONDENT IN THE NAME OF THE PETITIONER.**

**ANNEXURE A14: TRUE COPY OF THE LETTER DRAFTED BY THE 1ST RESPONDENT
RESPONDENT IN THE NAME OF THE PETITIONER.**

**ANNEXURE A15: TRUE COPY OF THE ORDER DTD.9.1.2012 ISSUED BY THE
5TH PETITIONER.**

**ANNEXURE A16: TRUE COPY OF THE ORDER DTD.13.12.2012 ISSUED BY TH
GOVERNMENT.**

Msv/

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**ANNEXURE A17: TRUE COPY OF THE MEMO DTD.17.5.2013 ISSUED BY THE
5TH RESPONDENT TO THE PETITIONER.**

ANNEXURE A18: TRUE COPY OF G.O.DTD.28.11.1989.

**ANNEXURE A19: TRUE COPY OF ORDER DTD.6.8.2007 ISSUED BY THE
2ND RESPONDENT.**

ANNEXURE A20: TRUE COPY OF THE REPLY SUBMITTED BY THE PETITIONER.

**ANNEXURE A21: TRUE COPY OF FIR DTD.22.6.2013 OF VELLATHOOVAL POLICE
STATION.**

**ANNEXURE A22: TRUE COPY OF THE DISCHARGE CARD ISSUED TO THE PETITIONER
BY TALUK HEADQUARTERS HOSPITAL, ADIMALY.**

**ANNEXURE A23: TRUE COPY OF THE NEWS ITEM APPEARED IN THE MATHRUBHUMI
DAILY DTD.23.6.2013.**

**ANNEXURE A24: TRUE COPY OF THE NEWS ITEM APPEARED IN THE KAUMUDI DAILY
DTD.23.6.2013.**

**ANNEXURE A25: TRUE COPY OF THE COMMUNICATION DTD.24.6.2013 ISSUED BY
THE 5TH RESPONDENT ALONG WITH ORDER DTD.21.6.2013.**

**ANNEXURE A26: TRUE COPY OF THE ORDER DTD.3.7.2013 ISSUED BY
4TH RESPONDENT.**

**ANNEXURE A27: TRUE COPY OF THE ORDER DTD.24.7.2013 ISSUED BY
4TH RESPONDENT.**

**ANNEXURE A28: TRUE COPY OF THE ORDER DTD.5.9.2013 IN WP(C) NO.19026/2013
OF THIS HONOURABLE COURT.**

ANNEXURE A29: TRUE COPY OF GO., DTD.6.12.2013 ISSUED BY THE GOVERNMENT.

ANNEXURE A30: TRUE COPY OF G.O. DTD.31.3.2014 ISSUED BY THE GOVERNMENT.

**ANNEXURE A31: TRUE COPY OF ENQUIRY REPORT DTD.30.5.2014 SUBMITTED BY
SMT.U.K.SYAMALA, ENQUIRYT OFFICER.**

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE.

A.MUHAMED MUSTAQUE, J.

R.P.No.345 of 2015

in

W.P.(C) No.5152 of 2015

Dated this the 3rd day of August, 2015

ORDER

The review petition is at the instance of 5th respondent in the writ petition. This Court disposed the writ petition at the admission stage without notice to the 5th respondent on the premise of the fact that Ext.P8 revision petition has to be considered by the Director of Public Instructions and also the stay application filed along with the revision petition.

2. This review petition is come up for consideration on the objection of the petitioner that Director of Public Instructions has no jurisdiction to entertain Ext.P8 revision petition and it is further submitted that as against Ext.P7, no revision petition would lie. Essentially, the question of jurisdiction has been put forward by the review petitioner. Since this Court has no occasion to consider the jurisdiction taking into account of the arguments of the learned counsel for the review petitioner, this Court is of the view that the judgment is liable to be reviewed. Accordingly, the review petition is allowed.

Post the writ petition before the Court having roster.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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