

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR.JUSTICE K.HARILAL

MONDAY, THE 23RD DAY OF FEBRUARY 2015/4TH PHALGUNA, 1936

WA.No. 377 of 2015 ()

JUDGMENT IN WP(C) 20495/2013 DATED 23.07.2014

APPELLANTS:

1. STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT
FINANCE (EXPENDITURE) DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM.
2. THE SECRETARY
HIGHER EDUCATION DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM.
3. THE DIRECTOR OF COLLEGIATE EDUCATION
VIKAS BHAVAN, THIRUVANANTHAPURAM.
4. THE ACCOUNTANT GENERAL (A&E)
THIRUVANANTHAPURAM KERALA 695 039.

BY ADV.SRI.P.V.LONACHAN, SPEICAL GOVERNMENT PLEADER FINANCE

RESPONDENT:

A.J. JOSEPH, AGED 60 YEARS,
(RETIRED SELECTION GRADE LECTURER) ST.STEPHENS COLLEGE
UZHAVOOR, S/O.JOSEPH, RESIDING AT ALAPPATTU HOUSE
KOLANI P.O, THODUPUZHA IDUKKI DISTRICT. 685 608.

R BY SRI.SIJI ANTONY

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON
23-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

SCL.

**THOTTATHIL B. RADHAKRISHNAN &
K. HARILAL, JJ.**

W.A. No.377 of 2015

Dated this the 23rd day of February, 2015.

JUDGMENT

Thottathil B. Radhakrishnan, J.

We have heard the learned Special Government Pleader for Finance quite *in extenso* and also heard the learned counsel for the respondent/writ petitioner.

2. The writ petitioner is an aided school teacher. He had three prior spells of temporary service in collegiate education. That has already been reckoned as qualifying service for the purpose of pensionary benefits.

3. The question is as to whether the aided school service, which he had prior to such temporary collegiate service is also eligible to be counted. The aided school temporary service would also fall within Rule 14E of Part III Kerala Service Rules as rightly noted by the learned single Judge.

This appeal is without any merits and the same is liable to be dismissed. We do so.

We are sure that the learned single Judge will grant a short time to the State authorities to comply with the directions contained in the impugned judgment from which this writ appeal arises.

**Sd/-
THOTTATHIL B. RADHAKRISHNAN
JUDGE**

**Sd/-
K. HARILAL
JUDGE**

Scl.