

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

WP(C).No. 933 of 2013 (N)

PETITIONER(S) :

SULFETH.T. AGED 28 YEARS
D/O.USMAN T., KUTTAISSERI HOUSE, KUTHUKKAL ROAD
MANJERI, MALAPPURAM DISTRICT.

BY ADVS.SRI.K.M.SATHYANATHA MENON
SMT.KAVERY S THAMPI

RESPONDENT(S) :

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM 695 001.

2. THE DISTRICT EDUCATIONAL OFFICER
WANDOOR, MALAPPURAM DISTRICT, PIN - 679 328.

3. THE MANAGER,
THACHINGANADAM HIGH SCHOOL, THACHINGANADAM P.O.
MALAPPURAM DISTRICT, PIN - 679 325.

R BY SR.GOVERNMENT PLEADER SMT.M.J.RAJASREE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
01-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC 933/2013

APPENDIX

PETITIONER'S EXTS:

EXT.P1 TRUE COPY OF THE APPOINTMENT ORDER APPROVED BY R2

EXT.P2 TRUE COPY OF GO DT.10/06/2008

EXT.P3 TRUE COPY OF GO (P) NO.56/2011/G.EDN., DT.26/02/2011

EXT.P4 TRUE COPY OF THE JUDGMENT DT.3/10/2012 IN WPC 23773/2011

EXT.P5 TRUE COPY OF ORDER ISSUED BY THE SECRETARY, GENERAL EDN. (E)
DEPT., DT.20/12/2014

RESPONDENT(S) ' EXHIBITS : NIL

ms

\\TRUE COPY//

P.S to Judge

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.933/2013**  
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Dated this the 1st Day of April, 2015

J U D G M E N T

The petitioner was appointed as High School Assistant on 07/07/2008. However, approval of appointment of the petitioner was given effect only as daily wages from 07/07/2008 to 31/03/2009 and on regular basis from 01/06/2009 onwards.

2. In view of the fact that the petitioner's appointment was in a regular vacancy having duration of one year and above, I am of the view that the petitioner is entitled for regular scale of pay with effect from 07/07/2008 onwards in the light of the judgment of this Court in **Unni Narayanan K. and others v. State of Kerala and others [2009 (2) KLT 604]** and the judgment of the Hon'ble Supreme Court in **State of Kerala and others v. Sneha Cheriyan [2013 (1) KLT 755 (SC)]**. Therefore, necessary orders shall be passed to

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approve the appointment of the petitioner from 07/07/2008 onwards in regular scale of pay and thereafter disburse the entire arrears of pay within a period of three months.

The writ petition is disposed of as above. No costs.

**SD/-
A.MUHAMED MUSTAQUE, JUDGE**

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