

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937

WA.No. 1340 of 2014 () IN WP(C).13786/2013

AGAINST THE JUDGMENT IN WP(C) 13786/2013 of HIGH COURT OF
KERALA.

APPELLANT/PETITIONER:

R.LATHAKUMARI, W/O. SREERAJ, AGED 38 YEARS,
HIGH SCHOOL ASSISTANT (MALAYALAM),
DEVASWOM BOARD HIGH SCHOOL,
THRIKKARIYUR, ERNAKULAM DISTRICT.

BY ADVS.SRI.P.S.SREEDHARAN PILLAI
SRI.T.K.SANDEEP
SRI.ARJUN SREEDHAR
SRI.ARUN KRISHNA DHAN
SRI.JOSEPH GEORGE (MULLAKKARIYIL)

RESPONDENT(S)/RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF GENERAL EDUCATION,
GENERAL SECRETARIAT,
THIRUVANANTHAPURAM-695 001.
2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM-695 001.
3. THE DISTRICT EDUCATIONAL OFFICER,
KOTHAMANGALAM, ERNAKULAM DISTRICT-686 691.

4. THE CORPORATE MANAGER, TRAVANCORE DEVASWOM BOARD SCHOOLS, (THE SECRETARY, TRAVANCORE DEVASWOM BOARD), DEVASWOM BUILDING, NANTHANCODE, THIRUVANANTHAPURAM-695 001.
5. SMT. SREELEKHA.S. KURUP, W/O. M.K. VINOD KURUP, UPPER PRIMARY SCHOOL ASSISTANT, DEVASWOM BOARD HIGH SCHOOL, ERUMELI-686 509.

RESIDING AT ATTUPURAM HOUSE, VELIYANADU P.O.,
CHANGANASSERY, KOTTAYAM DISTRICT-689 590.

6. SMT. LEKHA P. NAIR, W/O. DEEPAK.G., UPPER PRIMARY SCHOOL ASSISTANT, DEVASWOM BOARD HIGH SCHOOL, ERUMELI-686 509.

RESIDING AT EDAKKALLIL HOUSE, THIRUVANDOOR,
THIRUVALLA, PIN-689 109.

R5 BY ADV. SRI.ALEXANDER JOSEPH
R1-R3 BY SENIOR GOVERNMENT PLEADER SRI.S. JAMAL
R6 BY ADV. SRI.S.SUBHASH CHAND
R5 BY SRI.N.SUGATHAN
R4 BY SRI.M.V.S.NAMBOOTHIRI, SC, TRAVANCORE
DEVASWOM BOARD

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON
31-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

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

W.A. No.1340 of 2014

Dated this the 31st day of March, 2015

JUDGMENT

Thottathil B. Radhakrishnan, J.

The writ petitioner is the appellant. While being a Full Time Menial, she claimed eligibility to be appointed on regular basis as H.S.A. (Malayalam). However, the fact remains that there was a claimant as against the vacancy of H.S.A. (Malayalam) on the basis of Rule 51A of Chapter XIVA of the KER. The non-teaching staff will not get a preferential eligibility over any such claimant as held by this Court in Sreenivasan v. State of Kerala (2002 (3) KLT 544). We are in respectful agreement with that decision. This writ appeal, therefore fails.

In the result, this writ appeal is dismissed.

(THOTTATHIL B. RADHAKRISHNAN, JUDGE)

(K. HARILAL, JUDGE)

Nan/