

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 27TH DAY OF JANUARY 2015/7TH MAGHA, 1936

WP(C).No. 2195 of 2013 (Y)

PETITIONER(S):

**SWAPNA P.K.
W/O.K.K.ASHRAF, XII/125, PETTUVILLA,
CHULLICKAL, KOCHI-682 005.**

**BY ADVS.SRI.P.THOMAS GEEVERGHESE
SRI.K.M.SHAMSUDIN**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY
TO THE GENERAL EDUCATION DEPARTMENT,
THIRUVANANTHAPURAM-695 001.**
- 2. THE DEPUTY DIRECTOR OF EDUCATION
CIVIL STATION, KAKKANAD, ERNAKULAM-682 030.**
- 3. THE DISTRICT EDUCATIONAL OFFICER,
NEAR KANAYANNUR TALUK OFFICE,
OLD COLLECTORATE BUILDING, ERNAKULAM-682 011.**
- 4. THE MANAGER
MMOV HS SCHOOL, PANAYAPPILLY, KOCHI-682 002.**

R1-3 BY GOVERNMENT PLEADER SMT.LOWSYA.

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1. TRUE COPY OF APPOINTMENT ORDER DATED 27.6.2008.**
- EXHIBIT P2. TRUE COPY OF G.O(P)NO.104/2008/G.EDN DATED 10.6.2008.**
- EXHIBIT P3. TRUE COPY OF GO (P) NO.56/2011 G.EDN DATED 26.2.2011.**
- EXHIBIT P4. TRUE COPY OF REPRESENTATION DATED 28.9.2012.**
- EXHIBIT P5. TRUE COPY OF LETTER NO.40873/J2/11/G.ED. DATED 20.08.2011.**
- EXHIBIT P6. TRUE COPY OF ORDER OF 2ND RESPONDENT NO.B2/20658/12/KDS
DATED 27.12.2012.**

RESPONDENTS' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.2195 of 2013
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Dated this the 27th day of January, 2015

JUDGMENT

Petitioner was appointed as High School Assistant (Physical Science) with effect from 27.06.2008 by Ext.P1 order. Petitioner's grievance is that her appointment has been approved on regular basis only with effect from 01.06.2009. The period of appointment from 27.06.2008 to 31.03.2009 has been approved on daily wages basis. This was challenged before the concerned authorities and all authorities affirmed that petitioner is entitled for approval from the period from 27.06.2008 to 31.03.2009 on daily wages basis. Petitioner relies on the judgment in **State of Kerala Vs. Sneha Cheriyan & Ors (2013(1) KLT 755)** and submits that she is entitled for approval of appointment on regular basis with effect from 27.06.2008 onwards.

2. Accordingly, there shall be a direction to the third respondent to approve the appointment of petitioner with effect from 27.06.2008 onwards and disburse any salary arrears based on the above, after deducting the payment already effected within a period of three months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of.

Sd/-
A.MUHAMED MUSTAQUE, JUDGE.

Sbna/27/01/15