

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 19361

WP(C).No. 82 of 2015 (I)

PETITIONER:

SHIDU A.S,
LOWER PRIMARY SCHOOL ASSISTANT
LUTHER MISSION LOWER PRIMARY SCHOOL, MELPORUNTHAMON
KILLIMANNOOR, PULIMATH(PO), THIRUVANANTHAPURAM
PIN-695612.

BY ADVS.SRI.M.V.THAMBAN
SRI.R.REJI
SMT.THARA THAMBAN
SRI.B.BIPIN
SRI.ARUN BOSE

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO THE GOVERNMENT
DEPARTMENT OF GENERAL EDUCATION
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM
PIN-695001.

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
KILIMANNOOR, THIRUVANANTHAPURAM
THIRUVANANTHAPURAM DISTRICT, PIN-695601.

3. THE ASSISTANT EDUCATIONAL OFFICER,
KILIMANNOOR, THIRUVANANTHAPURAM
THIRUVANANTHAPURAM DISTRICT, PIN-695601.

4. THE MANAGER,
LUTHERAN SCHOOL, CLHSS COMPOUND, PEROORKADA
THIRUVANANTHAPURAM, PIN-695005.

R BY GOVERNMENT PLEADER: V VIJULAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
06-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 82 of 2015 (I)

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXT.P1 TRUE COPY OF THE APPOINTMENT ORDER NO.231/2012-2013 DATED
04.06.2012

EXT.P2 TRUE COPY OF THE ORDER NO.K.DIS/D/588/2012 DATED 14.09.2012

EXT.P3 TRUE COPY OF THE ORDER NO.F1-87294/12/DPI/K.DIS.DATED
25.02.2013.

EXT.P4 TRUE COPY OF THE PETITION DATED 20.03.2013.

RESPONDENT(S) ' EXHIBITS:NIL

True Copy/

P A to Judge

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.82 of 2015
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Dated this the 06th day of January, 2015

JUDGMENT

Petitioner submits that he was appointed as LPSA in the Luther Mission Lower Primary School at Melporunthamom on 04.06.2012. The appointment was rejected by Ext.P2 dated 14.09.2012 by the 3rd respondent Assistant Educational Officer. Against the rejection, an appeal was filed by the Manager before the Director of Public Instruction under Rule 8A of the Kerala Education Rules 1959. Thereupon the appeal was rejected by the DPI. The Manager carried the matter in revision under Rule 92 Chapter XIVA of the KER as evidenced by Ext.P4. Ext.P4 would indicate that this was filed on 20.03.2013. Aggrieved by non consideration of Ext.P4, petitioner approached this Court.

2. In the circumstance, there shall be a direction to the first respondent to consider Ext.P4 after affording an opportunity of hearing to the petitioner and the 4th respondent within a period of three months.

The Writ Petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

Sbna/06/01/15