

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE C.K. ABDUL REHIM

THURSDAY, THE 8TH DAY OF JANUARY 2015/18TH POUSHA, 1936

WP(C).No. 633 of 2015 (D)

PETITIONER:

JIS MATHEW,
S/O MATHEW LUKOSE,
U.P.S.A., DESABANDHU HIGH SCHOOL
THACHAMPARA, PALAKKAD, PIN:678 593.

BY ADVS. SRI.V.M.KURIAN
SRI.MATHEW B. KURIAN
SRI.K.T.THOMAS

RESPONDENTS:

1. THE MANAGER,
DESABANDHU HIGHER SECONDARY SCHOOL
THACHAMPARA, PALAKKAD, PIN-678 593.

*2. THE REGIONAL DEPUTY DIRECTOR,
HIGHER SECONDARY EDUCATION DEPARTMENT,
MALAPPURAM.

3. SMT. ANITHA PHILIP
HSST (JUNIOR), DESABANDHU HIGHER SECONDARY SCHOOL
THACHAMPARA, PALAKKAD, PIN- 678 593.

4. SMT. SOUMYARAJAN
HSST, DESABANDHU HIGHER SECONDARY SCHOOL,
THACHAMPARA, PALAKKAD, PIN:678 593.

* [2nd RESPONDENT'S NAME & ADDRESS CORRECTED AS PER ORDER
DATED 08-01-2015 IN I.A. No.276/2015]

R2 BY SR. GOVT. PLEADER SRI. M.A. FAYAZ.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

AMG

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: A TRUE COPY OF THE APPROVED SENIORITY LIST OF THE YEAR 2010.

EXHIBIT P2: A TRUE COPY OF THE SENIORITY LIST OF THE YEAR 2014.

EXHIBIT P3: A TRUE COPY OF THE PETITION DATED 13.12.2014 SUBMITTED BY
THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXHIBIT P4: A TRUE COPY OF THE PETITION DATED 26.12.2014 SUBMITTED BY
THE PETITIONER BEFORE THE 2ND RESPONDENT.

RESPONDENTS' EXHIBITS

NIL

True copy

P.A. To Judge

C.K. ABDUL REHIM, J.

W.P.(c) No. 633 OF 2015-D

DATED THIS THE 8th DAY OF JANUARY, 2015.

J U D G M E N T

In view of the relief proposed to be granted in the writ petition, issuance of notice to respondents 1, 3 and 4 can be dispensed with.

2. The petitioner had submitted Exts.P3 & P4 objections before the 2nd respondent, objecting the grant of approval of appointment of respondents 3 & 4 as Higher Secondary School Teachers. Contention of the petitioner is that he is the senior in-service candidate having superior claim to the post against which the appointment was made in favour of respondents 3 & 4. Limited relief sought for in this writ petition is for a direction to the 2nd respondent to consider Exts.P3 & P4 objections before granting approval of the appointments of respondents 3 & 4.

3. Heard; learned Government Pleader appearing for the 2nd respondent. It is submitted that there is no difficulty

in considering Exts.P3 & P4 objections by the 2nd respondent, if appointment of the respondents 3 & 4 were not already approved.

4. Under the above mentioned circumstances this writ petition is disposed of by directing the 2nd respondent to consider Exts.P3 & P4 objections if the same is already received, before granting approval of appointment of respondents 3 & 4. Needless to observe that, if necessary the 2nd respondent shall afford opportunity of personal hearing to the petitioner as well as the respondents 1, 3 & 4 in the matter, before taking an appropriate decision.

Sd/-
C.K. ABDUL REHIM
JUDGE

AMG

True copy

P.A. to Judge