

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937

WP(C).No. 4917 of 2008 (I)

PETITIONER(S):

**R.KUTTAN PILLAI,MANAGER,NSSDV UP SCHOOL
NSSDV UPPER PRIMARY SCHOOL, NEDUVATHOOR, KOTTARAKKARA
KOLLAM DISTRICT.**

BY ADV. SRI.M.V.THAMBAN

RESPONDENT(S):

- 1. STATE OF KERALA REPRESENTED BY THE
SECRETARY TO THE GOVT., DEPARTMENT OF GENERAL
EDUCATION, GOVT.SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.**
- 3. ASST. EDUCATIONAL OFFICER,
KOTTARAKKARA.**
- 4. J.R.GANGADEVI, LAKSHMI BHAVAN,
NEELESWARAM P.O. , KOTTARAKKARA.**

**R,4 BY ADV. SRI.K.V.ANIL KUMAR
R,R1 TO 3 BY ADV. GOVERNMENT PLEADER SMT.A. LOWSY**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 30-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONERS EXHIBITS:

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|----------------|---|
| EXT.P1 | COPY OF THE JUDGMENT DTD. 26.11.99 IN O.P NO.19805/99 BEFORE THIS HON'COURT. |
| EXT.P2 | COPY OF THE REJECTION ORDER ISSUED BY AEO, LETTER DTD. 31.8.2000 |
| EXT.P3 | COPY OF THE REJECTION ORDER BY AEO DTD. 17.9.01 |
| EXT.P4 | COPY OF THE JUDGMENT DTD. 30.7.02 IN OP NO. 21440/02 |
| EXT.P5 | COPY OF THE REJECTION LETTER GO(RT) NO. 136/03/G.EDN. DTD. 8.1.03 |
| EXT.P6 | COPY OF THE GO(RT) O. 3197/2007/G.EDN. DTD. 11.7.07 |
| EXT.P7 | COPY OF THE UNDERTAKING DTD. 31.5.2007 GIVEN BY THE PETITIONER. |
| EXT.P8 | COPY OF THE LETTER NO. 10033/K1/88/G.EDN. DTD. 7.2.89 |
| EXT.P9 | COPY OF THE GO(RT) NO. 167/89/G.EDN. DTD. 16.1.89 |
| EXT.P10 | COPY OF THE GO(RT) NO.3020/91/G.EDN. DTD. 30.10.91 |
| EXT.P11 | COPY OF THE GO(RT) NO.1798/92/G.EDN. DTD. 19.5.92 |
| EXT.P12 | COPY OF THE GO(RT) NO. 3631/98/G.EDN. DTD. 18.9.98 |
| EXT.P13 | COPY OF THE GO(RT) NO. 3976/99/G.EDN. DTD. 20.8.99 |
| EXT.P14 | COPY OF THE GO(RT) NO.4962/99/G.EDN. DTD. 9.11.99 |
| EXT.P15 | COPY OF THE GO(RT) NO.1201/2000/G.EDN. DTD. 25.3.2000. |

RESPONDENTS EXHIBITS:

NIL

// TRUE COPY //

PA TO JUDGE.

SB

K. VINOD CHANDRAN, J.

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W.P.(C) No.4917 of 2008 - I

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Dated this the 30th day of October, 2015

J U D G M E N T

The above writ petition challenge Ext.P6 order, in which the Director of Public Instruction, Thiruvananthapuram was directed to take necessary steps to release the salary of the petitioner, for the period she had actually worked, subject to a condition that the amount so paid, shall be recovered from the Manager, N.S.S.D.V.U.P School, Ndeuvathoor, Kottarakkara, Kollam. Since the parties have settled the matter out of Court, the order at Ext.P6 directing the Director of Public Instruction to pay the salary as also the recovery ordered from the petitioner shall no more be effective.

The writ petition is disposed of with the above observations.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

SB/30/10/2015

// true copy //

P.A to Judge.