

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 14TH DAY OF JANUARY 2015/24TH POUSHA, 1936

WP(C).No. 3971 of 2013 (V)

PETITIONER:

**V A SHIHABUDHEEN AGED 30 YEARS
S/O.ABOO, JUNIOR ARABIC TEACHER (FULL-TIME)
AIDED LOWER PRIMARY SCHOOL, IRINGAPURAM, CHAVAKKAD
THRISSUR DISTRICT.**

**BY ADVS.SRI.V.A.MUHAMMED
SRI.K.E.HAMZA**

RESPONDENT(S):

- 1. THE STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM-695 001.**
- 2. THE DIRECTOR OF PUBLIC INSTRUCTIONS
JAGATHY, THIRUVANANTHAPURAM-695 014.**
- 3. THE DISTRICT EDUCATIONAL OFFICER
CHAVAKKAD, THRISSUR DISTRICT-680 506.**
- 4. THE ASSISTANT EDUCATIONAL OFFICER
CHAVAKKAD, THRISSUR DISTRICT-680 506.**
- 5. THE MANAGER
AIDED LOWER PRIMARY SCHOOL, IRINGAPURAM, CHAVAKKAD
THRISSUR DISTRICT-680 103.**

**R5 BY ADV. SRI.C.A.CHACKO
BY SENIOR GOVERNMENT PLEADER SRI.E.ABDUL KHADIR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S) EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER DATED 7-6-2010 AND APPROVAL THEREOF.

EXHIBIT P2: TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER DATED 4-6-2010 AND APPROVAL THEREOF.

EXHIBIT P3: TRUE COPY OF THE LETTER NO.D/1804/11 OF THE ASSISTANT EDUCATIONAL OFFICER, DATED 9-4-2012.

EXHIBIT P4: TRUE COPY OF THE LETTER OF THE PETITIONER, DECLARATION OF THE MANAGER DATED 7-6-2010 DECLARATION OF THE TEACHER DATED 7-6-2010, STATEMENT OF CHANGE OF STAFF AND JOINING REPORT DATED 7-6-2010.

EXHIBIT P5: TRUE COPY OF THE LETTER NO.D/3432/12/L.DIS. DATED 11-10-2012 OF THE 4TH RESPONDENT.

EXHIBIT P6: TRUE COPY OF THE LETTER NO.D/2113/12/K.DIS. DATED 8-10-2012 OF THE 4TH RESPONDENT.

EXHIBIT P7: TRUE COPY OF THE APPEAL FILED BEFORE THE 2ND RESPONDENT DATED 24-11-2012.

EXHIBIT P8 : TRUE COPY OF THE STAFF FIXATION ORDER 2013-2014 OF THE ASSISTANT ENDUCATIONAL OFFICER DATED 12.05.2014.

EXHIBIT P9: TRUE COPY OF THE REVISION PETITION FILED BEFORE THE 2ND RESPONDENT DATED 28.05.2014 (WITHOUT ANNEXURES).

RESPONDENTS' EXHIBITS : NIL

// TRUE COPY

P.A TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.3971 of 2013

Dated this the 14th day of January, 2015

JUDGMENT

The petitioner was appointed as Junior Arabic Teacher (Full Time) in the retirement vacancy. The petitioner was appointed on daily wage basis. The Assistant Educational Officer as per Ext.P3 directed the Manager to appoint the petitioner as Junior Arabic Teacher (Full Time) from 7.6.2010 onwards on regular basis against the retirement vacancy. Thereafter, the petitioner was appointed on regular basis. However, By Ext.P5 proceedings, the Assistant Educational Officer returned the proposal stating that the appellate order is necessary. Therefore, the petitioner preferred Ext.P7 appeal before the second respondent. In the meanwhile, staff fixation order was issued in the year 2013-2014 as per Ext.P8. Challenging the staff fixation order, the petitioner

has preferred Ext.P9 revision before the second respondent.

Therefore, there shall be a direction to the second respondent to dispose Exts.P7 and P9 after hearing the petitioner and the Manager within a period of two months.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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