

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 15TH DAY OF JANUARY 2015/25TH POUSHA, 1936

WP(C).No. 1401 of 2015 (A)

PETITIONER(S):

**K.T.ELSY, AGED 42 YEARS
W/O V.P.PAPACHAN, HEADMISTRESS,
ST. ANTONY'S HIGHER SECONDARY SCHOOL
PUTHENPEEDIKA, THRISSUR DISTRICT.**

**BY ADVS.SRI.K.T.SHYAMKUMAR
SRI.HARISH R. MENON**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM-695001.**
- 2. THE DIRECTOR OF PUBLIC INSTRUCTIONS
THIRUVANANTHAPURAM-695001.**
- 3. THE DEPUTY DIRECTOR OF EDUCATION
THRISSUR-680001.**
- 4. THE DISTRICT EDUCATIONAL OFFICER
THRISSUR-680001.**
- 5. CORPORATE EDUCATIONAL AGENCY
ARCHDIOCESE OF THRISSUR
CATHOLIC ARCHBISHOP'S HOUSE, THRISSUR-680005.**

R1-4 BY SENIOR GOVERNMENT PLEADER SRI.V.VIJULAL

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
15-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE APPOINTING ORDER DATED 1.2.2012 APPOINTING THE PETITIONER AS HEADMISTRESS OF ST.ANTONY'S HSS, PUTHYENPEEDIKA.

EXHIBIT P2: TRUE COPY OF THE ORDER DATED 11.1.2013 ISSUED BY THE 4TH RESPONDNET.

EXHIBIT P3: TRUE COPY OF THE ORDER DATED 21.2.2014 ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P4: TRUE COPY OF THE REVISION PETITION DATED 18.8.2014 FILED BY THE MANAGER BEFORE THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.1401 of 2015

Dated this the 15th day of January, 2015

JUDGMENT

The petitioner while working as High School Assistant (Mathematics) in the St.Thomas Higher Secondary School, Engandiyur, was promoted as Headmistress in the St.Antony's HSS, Puthenpeedika by the 5th respondent corporate management with effect from 1.2.2012. It is submitted that the vacancy arose consequent to the appointment of Smt.Reena Anto P, as a Principal of the School. However, appointment of Smt.Reena Anto P. was not approved by the Regional Deputy Director for the reason that the Government has not sanctioned a HSST post in the School. Consequently, the petitioner's appointment was also not approved by the District Educational Officer as per order dated 4.10.2012. Appeals filed before the Deputy Director of

Education and the Director of Public Instruction were also rejected. It is submitted that the Manager has already filed revision petition before the Government. In the meanwhile, it is submitted that the appointment of Smt.Reena Anto P. as Principal in charge has been approved as per order dated 20.3.2012 by the Regional Deputy Director and hence there is no impediment in approving the appointment of the petitioner as Headmistress of the school. It is also submitted that the Government has sanctioned the post of Principal in the school with effect from 6.8.2011.

In view of Ext.P4 revision petition, I am of the view that an expeditious disposal is required. Accordingly, there shall be a direction to the first respondent to take appropriate decision on Ext.P4 within a period of three months.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE