

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 31ST DAY OF JULY 2015/9TH SRAVANA, 1937

WP(C).NO. 1493 OF 2015 (J)

PETITIONER(S):

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1. SHAMSEER C.P.,
H.S.S.T.COMMERCE, SEETHI SAHIB H.S.S., TALIPARAMBA
KANNUR-670 141.
 2. SIRAJ P.P.,
H.S.S.T.COMMERCE, SIR SYED H.S.S., TALIPARAMBA
KANNUR-670 141.
 3. YASARA C.V.N.
H.S.S.T.COMPUTER APPLICATION, SIR SYED H.S.S.
TALIPARAMBA, KANNUR-670 141.
 4. SHAJU P.K.,
H.S.S.T.COMMERCE, CHOTHAVOOR H.S.S., CHAMPAD
THALASSERY, KANNUR DISTRICT.
 5. RAMISHA K.,
H.S.S.T.COMMERCE, CHOTHAVOOR H.S.S., CHAMPAD
THALASSERY, KANNUR DISTRICT.
 6. JENNI ROSE FRANCIS K.,
H.S.S.T.ECONOMICS, CHOTHAVOOR H.S.S., CHAMPAD
THALASSERY, KANNUR DISTRICT.
 7. ANUJA S.,
H.S.S.T.ECONOMICS, SEETHI SAHIB H.S.S., TALIPARAMBA
KANNUR-670 141.
 8. MASHEEDA N.,
H.S.S.T.COMPUTER APPLICATION, SEETHI SAHIB H.S.S.
TALIPARAMBA, KANNUR-670 141.
 9. SANTHOSH P.R.,
H.S.S.T.COMMERCE, SREEKRISHNAPURAM H.S.S.
SREEKRISHNAPURAM P.O., PALAKKAD-679 513.

BY ADVS.DR.K.P.SATHEESAN (SR.)

SRI.M.R.JAYAPRASAD
SRI.P.MOHANDAS (ERNAKULAM)
SRI.ANOOP.V.NAIR
SRI.S.VIBHEESHANAN

RESPONDENT (S) :

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY
GENERAL EDUCATION (T) DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.

2. THE DIRECTOR OF HIGHER SECONDARY EDUCATION,
OFFICE OF THE DIRECTOR OF HIGHER SECONDARY EDUCATION
HOUSING BOARD BUILDING, SANTHI NAGAR
THIRUVANANTHAPURAM-695 001.

3. THE JOINT DIRECTOR (ACADEMIC) ,
OFFICE OF THE DIRECTOR OF HIGHER SECONDARY EDUCATION
HOUSING BOARD BUILDING, SANTHI NAGAR
THIRUVANANTHAPURAM-695 001.

4. THE REGIONAL DEPUTY DIRECTOR,
HIGHER SECONDARY EDUCATION, REGIONAL OFFICE
KANNUR-670 001.

5. THE REGIONAL DEPUTY DIRECTOR,
HIGHER SECONDARY EDUCATION, REGIONAL OFFICE
MALAPPURAM-676 505.

6. THE REGIONAL DEPUTY DIRECTOR,
HIGHER SECONDARY EDUCATION, REGIONAL OFFICE
ERNAKULAM-682030.

BY GOVERNMENT PLEADER SMT.LOWSY.A

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
31-07-2015, ALONG WITH WPC. 20486/2014, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

WP(C).NO. 1493 OF 2015 (J)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT P1 : TRUE COPY OF THE ORDER NO.A5/391/2014/K.DIS DATED 27-03-2014
ISSUED BY THE 4TH RESPONDENT.

EXT P2 : TRUE COPY OF ORDER NO.A5/6343/RBD/KNR DATED 17-10-2014 ISSUED
BY THE 4TH RESPONDENT.

EXT P3 : TRUE COPY OF ORDER NO.A5/7769/2014 DATED 16-12-2014 ISSUED BY
THE 4TH RESPONDENT.

EXT P4 : TRUE COPY OF ORDER NO.A5/7769/2014 DATED 16-12-2014 ISSUED BY
THE 4TH RESPONDENT.

EXT P5 : TRUE COPY OF ORDER NO.A5/7769/2014 DATED 16-12-2014 ISSUED BY
THE 4TH RESPONDENT.

EXT P6 : TRUE COPY OF ORDER NO.A5/389/2014/K.DIS DATED 27-03-2014
ISSUED BY THE 4TH RESPONDENT.

EXT P7 : TRUE COPY OF ORDER NO.A5/390/2014/K.DIS DATED 27-03-2014
ISSUED BY THE 4TH RESPONDENT.

EXT P8 : TRUE COPY OF ORDER NO.G/186/2014/RDD/MLPM/HSE DATED 04-07-2014
ISSUED BY THE 5TH RESPONDENT.

EXT P9 : TRUE COPY OF APPOINTMENT ORDER ISSUED TO THE 1ST PETITIONER.

EXT P9(A) : TRUE COPY OF APPOINTMENT ORDER ISSUED TO THE 2ND PETITIONER.

EXT P9(B) : TRUE COPY OF APPOINTMENT ORDER ISSUED TO THE 3RD PETITIONER.

EXT P9(C) : TRUE COPY OF APPOINTMENT ORDER ISSUED TO THE 4TH PETITIONER.

EXT P9(D) : TRUE COPY OF APPOINTMENT ORDER ISSUED TO THE 5TH PETITIONER.

EXT P9(E) : TRUE COPY OF APPOINTMENT ORDER ISSUED TO THE 6TH PETITIONER.

EXT P9(F) : TRUE COPY OF APPOINTMENT ORDER ISSUED TO THE 7TH PETITIONER.

EXT P9(G) : TRUE COPY OF APPOINTMENT ORDER ISSUED TO THE 8TH PETITIONER.

EXT P9(H) : TRUE COPY OF APPOINTMENT ORDER ISSUED TO THE 9TH PETITIONER.

EXT P10 : TRUE COPY OF DIRECTION GIVEN BY THE 2ND RESPONDENT TO
RESPONDENTS 4 AND 5 DATED 19-12-2013.

EXT P11 : TRUE COPY OF ORDER ISSUED TO THE 1ST PETITIONER BY THE 2ND
RESPONDENT.

EXT P11 (A) : TRUE COPY OF ORDER ISSUED TO THE 7TH PETITIONER BY THE
3RD RESPONDENT.

EXT P12 : TRUE COPY OF JUDGMENT DATED 20-01-2006 IN WP(C).NO.10845/2005.

EXT P13 : TRUE COPY OF JUDGMENT DATED 22-05-2012 IN WP(C).NO.5709/2007
PUBLISHED IN THE WEBSITE OF THIS HON'BLE COURT.

EXT P14 : TRUE COPY OF ORDER NO.B3/5086/RDDE/HSE/2013 DATED 19-06-2013
ISSUED BY THE REGIONAL DEPUTY DIRECTOR, HIGHER SECONDARY EDUCATION,
ERNAKULAM.

EXT P15 : TRUE COPY OF ORDER NO.B3/5085/RDDE/HSE/2013 DATED 14-06-2013
ISSUED BY THE REGIONAL DEPUTY DIRECTOR, HIGHER SECONDARY EDUCATION,
ERNAKULAM.

EXT P16 : TRUE COPY OF LETTER WRITTEN BY THE 2ND RESPONDENT TO THE
FIRST RESPONDENT DATED 11-04-2013.

EXT P17 : TRUE COPY OF G.O. (MS) 211/2013 G.EDN. DATED 15-07-2013.

EXT P18 : TRUE COPY OF INTERIM ORDER PASSED BY THIS HON'BLE COURT IN WP
(C).227705/2014.

RESPONDENT(S) ' EXHIBITS:NIL

//TRUE COPY//

P.A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.1493 of 2015

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Dated this the 31st day of July, 2015

J U D G M E N T

The issue involved in the writ petition is squarely covered in favour of the petitioner by the judgment dated 01.06.2015 of this Court in W.P.(C).No.16683 of 2014. Accordingly, Ext.P17 Government order in its application to the petitioners shall have effect from the commencement of the academic year 2011-2012 when they were actually appointed in the School, and subject to a physical verification as to whether the petitioners stood qualified to hold the respective posts as on that date. The respondents shall ensure that the approval of the appointment of the petitioners in this writ petition is from their actual dates of appointment, subject to the above observations. The respondents shall ensure that on grant of approval as directed , the consequential benefits are also paid to the petitioners within three months from the date of receipt of a copy of this judgment.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

