

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 16TH DAY OF JANUARY 2015/26TH POUSHA, 1936

WP(C).No. 1616 of 2015 (B)

PETITIONER(S):

1. DR.ANTO P.V. AGED 43 YEARS
S/O.VARGHESE P.D, ASSISTANT PROFESSOR
ST.THOMAS COLLEGE, THRISSUR, PUTHUR HOUSE
SANTHY LANE, CHETTUPUZHA, THRISSUR 680 012
2. DR.SUNNY JOSEPH, AGED 47 YEARS
S/O. JOSEPH M C ASSISTANT PROFESSOR
ST.GEORGE COLLEGE, ARUVITHURA P.O, MANNARATH HOUSE
ERATTUPETTA 686 122
3. DR.SUNIL JOSE T AGED 42 YEARS
S/O. T.O JOSE, ASSISTANT PROFESSOR, ST.THOMAS COLLEGE
THRSSUR THERATTIL KURIAN HOUSE, B.G BAZAR
ARANATTUKARA 680 618
4. DR.CIBY KURIAN AGED 43 YEARS
S/O.V.D KURIAN, ASSISTANT PROFESSOR, DEVAMATHA COLLEGE
KURAVILANGAD VAYALIKUNNEL HOUSE, ANTHINAD P.O
KOTTAYAM 686 651
5. SAJU M.L AGED 45 YEARS
S/O.M.V ITTIARA, ASSISTANT PROFESSOR
ST.THOMAS COLLEGE, THRISSUR MAMPILLY HOUSE
IRINJALAKUDA 680121
6. DR.BRINCY MATHEW AGED 41 YEARS
D/O.JOSEPH MATHEW, ASSISTANT ASSSISTANT PROFESSOR
DEVAMATHA COLLEGE, KURAVILANGAD
PUTHIYIDATHUCHALIL HOUSE, RAMAPURAM BAZAR P.O
KOTTAYAM 686 575
7. JOSE JAMES AGED 39 YEARS
S/O.K.J JACOB, ASSISTANT PROFESSOR
ST.JOSEPH'S COLLEGE, ARAKULAM P.O
KADATHALAKUNNEL HOUSE, CHETHIMATTOM, CLUB ROAD
PALA
8. ROY THOMAS AGED 47 YEARS
S/O.J THOMAS, ASSISTANT PROFESSOR, ST.GEORGE'S COLLEGE
ARUVITHURA, GANAPATHIPLACKEL POOVARANY P.O
KOTTAYAM 686 577
9. SINI JACOB AGED 35 YEARS
S/O.E.J JACOB, ASSISTANT PROFESSOR
ST.GEORGE'S COLLEGE, ARUVITHURA, VEMPIL
CHEMMALAMATTOM, KALAKETTY 686 508

10. LINU T JAMES, AGED 40 YEARS
S/O. C.A JAMES, ASSISTANT PROFESSOR
ST.GEORGE'S COLLEGE, ARUVITHURA, CHERUVANKUNNEL HOUSE
NEAR A.K.JM.H.S KANJIRAPALLY, KOTTAYAM 686 507

11. VIJU M.J AGED 40 YEARS
S/O.JOSEPH M, ASSISTANT PROFESSOR, ST.THOMAS COLLEGE
THRISSUR, MEENAKUDIYIL HOUSE, CHUVANNAMANNU
KALLIDUKKU-PATTIKKAD, THRISSUR 680 652

12. JAISON P JACOB AGED 45 YEARS
S/O.P.V CHACKO, ASSSITANT PROFESSOR, DEVAMATHA COLLEGE
KURAVILANGAD, PLACKIYIL HOUSE, KURUPUTHARA P.O
MANJOOR P.O 686 603

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENTS:

1. STATE OF KERALA, AGED 45 YEARS
REP BY ITS SECRETARY TO THE GOVERNMENT
HIGHER EDUCATION DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM 695 001

2. PRINCIPAL SECRETARY(FINANCE), FINANCE
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001

3. THE DIRECTOR OF COLLEGIATE EDUCATION,
VIKAS BHAVAN, THIRUVANANTHAPURAM 695 001

4. THE DIRECTOR OF HIGHER SECONDARY
EDUCATION, THIRUVANANTHAPURAM 695 001

5. MAHATMA GANDHI UNIVERSITY,
REP BY ITS REGISTRAR, PRIYADARSINI HILLS, ATHIRAMPUZHA
KOTTAYAM 686 504

6. CALICUT UNIVERSITY
REP BY ITS REGISTRAR, UNIVERSITY CAMPUS, THENJIPALAM
KOZHIKODE 673 004

R BY GOVERNMENT PLEADER: SRI VIJULAL V SR.
R BY SRI.SANTHOSH MATHEW, SC, CALICUTY UNIVERS
R BY SRI.VARUGHESE M.EASO, SC, M.G.UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXHIBIT P1 A TRUE COPY OF THE REPRESENTATIONS SUBMITTED BY THE PETITIONERS THROUGH DR.K.M FRANCIS,UNIT PRESIDENT KPCTA,.ST THOMAS COLLEGE UNIT,THRISSUR TO THE HON'BLE CHIEF MINSITER OF KERALA DT 22-11-2013

EXHIBIT P2 A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS TO THE 3RD RESPONDENT DT 20-12-2013

EXHIBIT P3 A TRUE COPY OF THE REPRESENTATION DT 15-10-2014 SUBMITTED BEFORE THE 1ST RESPONDENT

EXHIBIT P4 A TRUE COPY OF THE RECEIPT ISSUED FROM THE OFFICE OF THE CHIEF MINISTER OF KERALA DT 29-05-2013

EXHIBIT P5 A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS BEFORE THE 1ST RESPONDENT DT 20-11-2014

RESPONDENT(S) ' EXHIBITS:NIL

True Copy/

P A to Judge

A.MUHAMED MUSTAQUE, J.

=====

W.P(C).No.1616 of 2015

=====

Dated this the 16th day of January, 2015

JUDGMENT

Petitioners are presently working as Assistant Professors in various aided colleges affiliated to the respondents 5 and 6-Universities. It is submitted that prior to the entry in service as Assistant Professors, they had more than 10 years of approved service as Higher Secondary School Teachers in aided schools. The basic pay of the Assistant Professors is ₹15,600/- as per the U.G.C pay scale of 15,600+AGP 6000-39,000/-. It is submitted that when petitioners relived as Higher Secondary School Teacher, their basic pay after pay fixation was ₹27,820/-. Now they are drawing less pay than that of counter parts in Higher Secondary Schools. Petitioners submit that they are entitled to protection of their last drawn pay as a Higher Secondary School Teacher. It is further submitted that, in terms of relevant statutory provisions under the Calicut University Statutes, they are entitled to get their pay fixed. Accordingly, Ext.P5 representation is preferred before the first respondent.

2. In view of pendency of Ext.P5 representation, there shall be a direction to the first respondent to dispose of Ext.P5 after affording an opportunity of hearing to the petitioners within a period of four months from the date of receipt of a copy of this Writ Petition.

The Writ Petition is disposed of.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

Sbna/16/01/15