

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. 1878 OF 2015 (H)

PETITIONER(S)/PETITIONERS:-

1. BASHEER ANIKKATTIL, AGED 38 YEARS
H.S.S.T (JUNIOR) HISTORY, M.I.H.S.S FOR GIRLS
PUDUPONNANI, PONNANI, MALAPPURAM DISTRICT.

2. MAJIDA T.K.,
H.S.S.T (JUNIOR) COMPUTER SCIENCE
M.I.H.S.S FOR GIRLS, PUDUPONNANI, PONNANI
MALAPPURAM DISTRICT.

**Name and address of the 2nd petitioner is corrected

BY ADVS.DR.K.P.SATHEESAN (SR.)
SRI.M.R.JAYAPRASAD
SRI.P.MOHANDAS (ERNAKULAM)
SRI.ANOOP.V.NAIR
SRI.S.VIBHEESHANAN

RESPONDENTS:-

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
MALAPPURAM - 676 505.

5. THE REGIONAL DEPUTY DIRECTOR,
HIGHER SECONDARY EDUCATION, REGIONAL OFFICE
KOZHIKODE - 673 001.

BY GOVERNMENT PLEADER SMT.M.J.RAJASREE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
31-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**The name and address of the 2nd petitioner is corrected as
"MAJITHA T.K., H.S.S.T (JUNIOR) COMPUTER SCIENCE, M.I.H.S.S PONNANI,
PONNANI SOUTH P.O., MALAPPURAM DISTRICT" AS PER ORDER DATED
03.12.2021 IN IA NO.1/2021.

SD/-
ASSISTANT REGISTRAR

A.K.JAYASANKARAN NAMBIAR, J......
W.P.(C).No.1878 of 2015.....
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.P10 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 date 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.

Sd/-

**A.K.JAYASANKARAN NAMBIAR
JUDGE***mns*

WP(C).NO. 1878 OF 2015 (H)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1. TRUE COPY OF THE ORDER NO.J/6569/2014/RDD/MLPM/HSE
DATED 26.09.2014 ISSUED BY THE 4TH RESPONDENT.

EXHIBIT P2. TRUE COPY OF ORDER NO.J/7649/2014/RDD/MLPM/HSE DATED
16.09.2014 ISSUED BY THE 4TH RESPONDENT.

EXHIBIT P3. TRUE COPY OF DIRECTION GIVEN BY THE 2ND RESPONDENT TO
RESPONDENTS 4 AND 5 DATED 19.12.2013.

EXHIBIT P4. TRUE COPY OF APPOINTMENT ORDER ISSUED TO THE 1ST
PETITIONER.

EXHIBIT P4(A). TRUE COPY OF APPOINTMENT ORDER ISSUED TO THE 2ND
PETITIONER.

EXHIBIT P5. TRUE COPY OF JUDGMENT DATED 10.01.2006 IN W.P.
(C)NO.10845/2005.

EXHIBIT P6. TRUE COPY OF JUDGMENT DATED 22.05.2012 IN W.P.
(C)NO.5709/2007.

EXHIBIT P7. TRUE COPY OF ORDER NO.B3/5085/RDDE/HSE/2013 DATED
14.06.2013 ISSUED BY THE REGIONAL DEPUTY DIRECTOR, HIGHER SECONDARY
EDUCATION, ERNAKULAM.

EXHIBIT P8. TRUE COPY OF ORDER NO.B3/5086/RDDE/HSE/2013 DATED
19.06.2013 ISSUED BY THE REGIONAL DEPUTY DIRECTOR, HIGHER SECONDARY
EDUCATION, ERNAKULAM.

EXHIBIT P9. TRUE COPY OF LETTER WRITTEN BY THE 2ND RESPONDENT TO
THE FIRST RESPONDENT DATED 11.04.2013.

EXHIBIT P10. TRUE COPY OF G.O.(MS)211/2013/G.EDN. DATED 15.07.2013.

EXHIBIT P11. TRUE COPY OF INTERIM ORDER PASSED BY THIS HON'BLE
COURT IN W.P.(C)NO.27705/2014.

EXHIBIT P12. TRUE COPY OF APPEAL PETITIONS FILED BY THE 1ST
PETITIONER BEFORE THE 2ND RESPONDENT.

EXHIBIT P12(A). TRUE COPY OF APPEAL PETITIONS FILED BY THE 2ND
PETITIONER BEFORE THE 2ND RESPONDENT.

RESPONDENT(S) ' EXHIBITS:NIL

//TRUE COPY//

P.A TO JUDGE