

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

WP(C).No. 5486 of 2013 (I)

PETITIONER(S):

RANI.S. AGED 32 YEARS
W/O. PRADEEP.LOWER PRIMARY SCHOOL ASSISTANT
S.V.H.S.S. CLAPPANA, KOLLAM DISTRICT
RESIDING AT KALATHIL GOVINDAMUTTOM.P.O., KAYAMKULAM
PIN-690527, ALAPPUZHA DISTRICT.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENT(S):

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
DEPARTMENT OF GENERAL EDUCATION
GOVT. SECRETARIAT, THIRUVANANTHAURAM-695001.

2. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM-695001.

3. THE DEPUTY DIRECTOR OF EDUCATION,
KOLLAM-691001.

4. THE MANAGER
S.V.H.S.S., CLAPPANA, KOLLAM DISTRICT-691001.

* ADDL R5.THE DIRECTOR OF HIGHER SECONDARY EDUCATION
THIRUVANANTHAPURAM 695 001

(ADDL R5 IS IMPEADED AS ADDL 5th RESPONDENT AS PER ORDER DTD
10.04.2015 IN I A 5469/15)

R4 BY ADV. SRI.A.N.RAJAN BABU

R2 BY ADV. GOVERNMENT PLEADER (SR): ADV.SRI.SUNITHA VINOD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10-04-2015, ALONG WITH WPC. 23503/2013, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS :

EXHIBIT-P1 : TRUE COPY OF THE APPOINTMENT ORDER DATED 2-6-2003
ISSUED TO THE PETITIONER.

EXHIBIT-P2 : TRUE COPY OF THE GOVERNMENT ORDER NUMBERED AS G.O. (RT)
NO. 1850/06/GE DATED 6-5-2006.

EXHIBIT-P3 : TRUE COPY OF THE GOVERNMENT ORDER NUMBERED AS G.O. (RT)
NO. 4019/2012/G. EDN. DATED 23-8-12.

EXHIBIT-P4 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE
PETITIONER BEFORE THE 1ST RESPONDENT DATED 5-2-13.

EXHIBIT-P5 : TRUE COPY OF G.O(M.S) NO.211/2013/G.Edn DATED
15.07.2013

EXHIBIT-P6 : TRUE COPY OF ANNEXURE TO EXT.P5

EXHIBIT-P7 : TRUE COPY OF THE CERTIFICATE SHOWING THAT THE
QUALIFICATION OF the PETITIONER

EXHIBIT-P8 : TRUE COPY OF THE REPRESENTATION DATED 11.10.2014
SUBMITTED BY THE PETITIONER BEFORE THE DIRECTOR OF HIGHER SECONDARY
EDUCATION, THIRUVANANTHAPURAM

RESPONDENTS' EXHIBITS :NIL

True Copy/

P A to Judge

A.MUHAMED MUSTAQUE, J.
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W.P(C).Nos.5486 and 23503 of 2013
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Dated this the 10th day of April, 2015

JUDGMENT

Petitioner in W.P(C).No.5486 of 2013 prays for a direction to the respondents to appoint her through by transfer as H.S.S.T (Junior) (Malayalam) on regular basis on sanctioning of the post by the Government. Petitioner approached the Director of Higher Secondary Education, Thiruvananthapuram by Ext.P8 representation dated 11.10.2014 requesting to promote her as H.S.S.T (Malayalam) in the present school with effect from 15.07.2013 onwards as she is the only qualified candidate available for by transfer appointment in the above said post. Petitioner in W.P(C).No.23503 of 2013 filed the Writ Petition praying for similar relief.

2. In the light of Ext.P8, there shall be a direction to the additionally impleaded 5th respondent in W.P(C).No.5486 of 2013 to consider Ext.P8 in the light of counter filed by the Director of Public Instruction within a period of two months after affording an opportunity of hearing to the Principal of Shanmugha Vilasam Higher Secondary School. The Writ Petitioner in W.P(C).No.23503 of 2013 shall also be heard along with the Writ Petitioner in W.P(C).No.5486 of 2013.

The Writ Petitions are disposed of. No costs.

Sd/-
A.MUHAMED MUSTAQUE, JUDGE.