

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYAISHTA, 1937

WP(C).No. 5537 of 2013 (N)

PETITIONER(S):

1. VIJAYASHOMA.V.,
PRE-PRIMARY TEACHER, MANANTHERI MOPLA L.P. SCHOOL,
P.O. MANANTHERI, KANNUR-670 643.
2. SHEEJA. K.,
PRE-PRIMARY TEACHER, MOORIYAD MOPLA L.P. SCHOOL,
P.O. KUTHUPARAMBA, KANNUR-670 643.
3. AJITHA. N.,
PRE-PRIMARY TEACHER, THOLAMBRA U.P. SCHOOL,
THOLAMBRA. P.O., KANNUR-670 673.
4. NITHA.E.,
PRE-PRIMARY TEACHER, SANKARANELLOOR L.P. SCHOOL,
P.O.SANKARANELLOOR, KANNUR-670 643.
5. NASEEMA.N.C.,
PRE-PRIMARY TEACHER, P.K.K.M.A.M.L.P. SCHOOL,
CHAVASSERY, CHAVASSERRY. P.O., KANNUR-670 702.
6. SALILA. P., PRE-PRIMARY TEACHER,
ABDHREHMAN SMARAKA U.P. SCHOOL,
CHENDAYAD, KANNUR-670 692.
7. SAVITHA.C.,
PRE-PRIMARY TEACHER, VATTOLI L.P. SCHOOL,
CHITTARIPARAMBA. P.O., KANNUR-670 650.
8. SINDHU. K.V.,
PRE-PRIMARY TEACHER, KARIYAD NAMBIAR'S U.P. SCHOOL,
KARIYAD. P.O., KANNUR-670 316.
9. AMMINI RAJU,
PRE-PRIMARY TEACHER,
KEEZHUR VAZHUNNAVAR'S U.P. SCHOOL,
P.O. KEEZHUR, KANNUR-670 703.

10. REMYA K.K.,
PRE-PRIMARY TEACHER, MOORIYAD MOPLA L.P. SCHOOL,
KUTHUPARAMBA, KANNUR-670 643.
11. SRUTHI P.,
NARAVOOR SOUTH L.P. SCHOOL,
KUTHUPARAMBA P.O., KANNUR-670 643.
12. PRASEETHA CHOZHAN,
PRE-PRIMARY TEACHER, KARA L.P. SCHOOL,
P.O.KARA, PERAVOOR, KANNUR-670 702.
13. HITHA P.,
PRE-PRIMARY TEACHER, PATTIAM WEST U.P. SCHOOL,
PATHAYAKKUNNU, KANNUR-670 691.
14. BEENA P.,
PRE-PRIMARY TEACHER, METTADI L.P. SCHOOL,
P.O. PORORA, KANNUR-670 702.
15. BINDHU K.,
PRE-PRIMARY TEACHER, KANHILERI WEST L.P. SCHOOL,
P.O. KANHILERI, KANNUR-670 702.
16. BEENA A.K.,
PRE-PRIMARY TEACHER, MARUTHAYI L.P. SCHOOL,
P.O. PORORA, KANNUR-670 702.
17. SHYAMALA K.P.,
PRE-PRIMARY TEACHER, PADANNAKKARA B.U.P. SCHOOL,
PINARAYI P.O., KANNUR-670 741.
18. PRIYA P.,
PRE-PRIMARY TEACHER, PANAMBATTA NEW U.P. SCHOOL,
THOLAMBRA P.O., KANNUR-670 673.
19. RAHEEMA M.K.,
PRE-PRIMARY TEACHER, P.K.K.M.A.M.L.P. SCHOOL,
CHAVASSERY, CHAVASSERY P.O., KANNUR-670 702.
20. DIVYA P.P.,
PRE-PRIMARY TEACHER, PANAMBATTA NEW U.P. SCHOOL,
THOLAMBRA P.O., KANNUR-670 673.
21. KAMARUNNIZA P.,
PRE-PRIMARY TEACHER, MOORIYAD MOPLA L.P. SCHOOL,
P.O. MOORIYAD, KANNUR-670 643.

22. SINU K.S.,
PRE-PRIMARY TEACHER, PANAMBATTA NEW U.P. SCHOOL,
THOLAMBRA P.O., KANNUR-670 673.
23. SARANYA M.,
PRE-PRIMARY TEACHER,
CHOTHAVOOR HIGHER SECONDARY SCHOOL,
P.O. CHAMPAD, KANNUR-670 694.
24. SUNIJA K.,
PRE-PRIMARY TEACHER, THOLAMBRA U.P. SCHOOL,
P.O. THOLAMBRA, KANNUR-670 673.
25. SMITHA K.P.,
PRE-PRIMARY TEACHER,
CHOTHAVOOR HIGHER SECONDARY SCHOOL,
CHAMPAD P.O., KANNUR-670 694.
26. SAINABA P.,
PRE-PRIMARY TEACHER, PANAMBATTA NEW U.P. SCHOOL,
THOLAMBRA, KANNUR-670 673.
27. SHEENA M.P.,
PRE-PRIMARY TEACHER, OLAVILAM NORTH L.P. SCHOOL,
P.O. OLAVILAM, KANNUR-670 313.
28. JYOTHILAKSHMI M.P.,
PRE-PRIMARY TEACHER, PADANNAKKARA U.P. SCHOOL,
PINARAYI P.O., KANNUR-670 741.
29. NIKHILA N.P.,
PRE-PRIMARY TEACHER, PERUNTHATTIL V.P.E.L.P. SCHOOL,
PERUMTHATTIL P.O., KANNUR-670 107.
30. SHINI.K.,
PRE-PRIMARY TEACHER, VENDUTTAYI L.P. SCHOOL,
P.O. PINARAYI, KANNUR-670 741.
31. NISHA.P., PRE-PRIMARY TEACHER,
PULLOOKKARA NORTH L.P. SCHOOL,
PULLOOKKARA P.O., KANNUR-670 672.
32. SHIJINA.P.,
PRE-PRIMARY TEACHER,
KIZHAKKUMBAGOM JUNIOR BASIC L.P. SCHOOL,
PINARAYI P.O., KANNUR-670 741.

33. PRAJISHA SREEJITH,
PRE-PRIMARY TEACHER, VELLERVALLY L.P. SCHOOL,
VELLERVALLU P.O., KANNUR-670 673.
34. MINI. U.,
PRE-PRIMARY TEACHER, KALLAYI A.L.P. SCHOOL,
ANJARAKKANDY P.O., KANNUR-670 612.
35. SAJINA. C.,
PRE-PRIMARY TEACHER, VELLERVALLY L.P. SCHOOL,
VELLERVALLY P.O., KANNUR-670 673.
36. SASIDAKUMARI P.A.,
PRE-PRIMARY TEACHER, PERUNTHATTIL P.V.E.LP. SCHOOL,
PERUNTHATTIL, KANNUR-670 107.
37. DIJISHA T.P.,
PRE-PRIMARY TEACHER, KANNOTHPARAMBA L.P. SCHOOL,
CHERUPARAMBA, KANNUR-670 693.
38. BINDU M.K.,
PRE-PRIMARY TEACHER, KADALAYI SOUTH U.P. SCHOOL,
KANNUR-670 007.
39. SHIJINA V.K.,
PRE-PRIMARY TEACHER, KUNNOTHPARAMBA L.P. SCHOOL,
CHERUPARAMBA P.O., KANNUR-670 693.
40. PRAMEELA. K.,
PRE-PRIMARY TEACHER,
GANAPATHI VILASM BAIC U.P. SCHOOL,
PINARAYI P.O., KANNUR-670 741.
41. SREEREKHA. N.,
PRE-PRIMARY TEACHER, MALUR U.P. SCHOOL,
P.O. KPR NAGAR MALUR, KANNUR-670 702.
42. ROJA. P.,
PRE-PRIMARY TEACHER,
GANAPATHI VILASAM BASIC U.P. SCHOOL,
PINARAYI P.O., KANNUR-670 741.
43. JOSHNA. K.,
PRE-PRIMARY TEACHER, KAITHERY WEST L.P. SCHOOL,
P.O. NIRMALAGIRI, KANNUR-670 701.

44. REMYA K.,
PRE-PRIMARY TEACHER, KOLAD JUNIOR BASIC SCHOOL,
P.O. PARAPRAM, KANNUR-670 741.
45. SANDHYA V.K.,
PRE-PRIMARY TEACHER, B.E.M.U.P. SCHOOL,
ANJARALAMDY P.O. ANJARAKANDY, KANNUR - 670 612.
46. GEETHA M.V.,
PRE-PRIMARY TEACHER, KAITHERI A.L.P. SCHOOL,
NIRMALAGIRI P.O., KANNUR - 670 701.
47. SREESHMA K.M.,
PRE-PRIMARY TEACHER, B.E.M.U.P. SCHOOL,
ANJARAKKANDY, P.O. ANJARAKANDY, KANNUR- 670 612.
48. APARNA K.,
PRE-PRIMARY TEACHER,
KADIRUR EAST L.P. SCHOOL,
KADIRUR, KANNUR-670 642.
49. REMYA M.,
PRE-PRIMARY TEACHER,
PULLOOKKARA NORTH L.P. SCHOOL,
P.O. PULLOOKKARA, KANNUR -660 672.
50. SREEJA V.,
PRE-PRIMARY TEACHER,
PONNIAM WEST MUNDOLI L.P. SCHOOL,
P.O. PONNIAM WEST, KANNUR- 670 641.
51. USHA P.,
PRE-PRIMARY TEACHER, MATHODAM L.P. SCHOOL,
P.O. KANNADIPARAMBA, KANNUR- 670 604.
52. SIJIMOL M.,
PRE-PRIMARY TEACHER,
MANATHANA PERAVOOR U.P. SCHOOL,
P.O. PERAVOOR, KANNUR- 670 673.
53. SINI M.,
PRE-PRIMARY TEACHER,
DESASEVA U.P. SCHOOL, KANNADIPARAMBA,
P.O. KANNADIPARAMBA, KANNUR - 670 604.

54. MINI K.K.,
PRE-PRIMARY TEACHER,
SREEJANARDHAN L.P. SCHOOL, MELMURINGODI,
P.O. MELMURINGODI, KANNUR-670 673.
55. GAYATHRI P.,
PRE-PRIMARY TEACHER,
DESASEVA U.P. SCHOOL, KANNADIPARAMBA,
P.O. KANNADIPARAMBA, KANNUR-670 604.
56. SINI C.,
PRE-PRIMARY TEACHER,
VAYALALAM CENTRAL BASIC U.P SCHOOL,
P.O. TEMPLE GATE, KANNUR- 670 102.
57. REJISHA K.,
PRE-PRIMARY TEACHER,
R.C. AMALA BASIC U.P. SCHOOL,
PINARAYI, KANNUR- 670 741.
58. CHANDRIKA P.,
PRE-PRIMARY TEACHER,
MATHODAM L.P. SCHOOL,
P.O. KANNADIPARAMBA, KANNUR - 670 604.
59. VRINDA. B.,
PRE-PRIMARY TEACHER,
R.C. AMALA BASIC U.P. SCHOOL,
P.O. PINARAYI, KANNUR- 670 741.
60. LATHIKA P.,
PRE-PRIMARY TEACHER,
PATHIRIYAD JUNIOR BASIC SCHOOL,
P.O. SANKARANELLOOR, KANNUR- 670 643.
61. SHYBA,
PRE-PRIMARY TEACHER,
N.K.MUHAMMED MASTER MEMORIAL MAPLA L.P. SCHOOL,
ODAKKAD, P.O. PATHIRIYAD, KANNUR- 670 741.
62. LATHILA V.K.,
PRE-PRIMARY TEACHER,
SREE RAMAVILASAM L.P. SCHOOL,
P.O. KURAPERAVOOR, KANNUR - 670 702.

63. PRASANNA P,
PRE-PRIMARY TEACHER,
THOLAMBRA U.P. SCHOOL,
P.O. THOLAMBRA, KANNUR - 670 673.
64. HEMA M.,
PRE-PRIMARY TEACHER,
KALLERIKKARA L.P. SCHOOL,
P.O. MATTANNUR, KANNUR - 670 702.
65. SUSEELA V.,
PRE-PRIMARY TEACHER, KANNAVAM U.P. SCHOOL,
P.O. KANNAVAM, KANNUR - 670 650.
66. SHABANA A.T.,
PRE-PRIMARY TEACHER,
KANNAVAM U.P. SCHOOL, P.O. KANNAVAM,
KANNUR- 670 650.
67. PRASEETHA M.,
PRE-PRIMARY TEACHER,
KANNAVAM U.P. SCHOOL, P.O. KANNAVAM,
KANNUR- 670 650.
68. RAHEENA P.M.,
PRE-PRIMARY TEACHER,
KANNAVAM U.P. SCHOOL, P.O. KANNAVAM,
KANNUR- 670 650.
69. RASMINA P.P.,
PRE-PRIMARY TEACHER,
KANNAVAM U.P. SCHOOL, P.O. KANNAVAM,
KANNUR- 670 650.
70. SHEEBA T.,
PRE-PRIMARY TEACHER,
KADALAYI SOUTH U.P. SCHOOL P.O.KADALAYI,
THAYYIL, THOTTADA, KANNUR-670 007.
71. RAJASREE K.,
PRE-PRIMARY TEACHER,
KADALAYI SOUTH U.P. SCHOOL, P.O. KADALAYI,
THAYYIL, THOTTADA, KANNUR-670 007.
72. ARSHANA V.P.,
PRE PRIMARY TEACHER, AICHUR WEST UP SCHOOL,
P.O. AICHUR, KANNUR- 670 591.

73. MINI. K.,
PRE PRIMARY TEACHER, THOTTADA WEST UP SCHOOL,
P.O. THOTTADA, KANNUR- 670 007.
74. ROSHNA C.K,
PRE-PRIMARY TEACHER, THOTTADA WEST UP SCHOOL,
P.O. THOTTADA, KANNUR- 670 007.
75. JEEJA T.,
PRE-PRIMARY TEACHER, THOTTADA WEST UP SCHOOL,
P.O. THOTTADA, KANNUR -670 007.
76. JEESHMA P.,
PRE PRIMARY TEACHER, MUZHAPPILANGAD UP SCHOOL,
P.O. MUZHAPPILANGAD, KANNUR -670 662.
77. ASA FARDANA,
PRE- PRIMARY TEACHER, AYSHA L.P SCHOOL,
CHEDIKULAM, P.O. ARALAM, KANNUR- 670 704.
78. MARY ABRAHAM,
PRE- PRIMARY TEACHER, AYSHA L.P. SCHOOL,
CHEDIKULAM, P.O. ARALAM, KANNUR -670 704.
79. SHEEBA A.P., PRE PRIMARY TEACHER,
MOKERI EAST UP SCHOOL, P.O. MOKERI,
KANNUR- 670 692.
80. SIJINA. K.,
PRE PRIMARY TEACHER, KADAVATHUR LP SCHOOL,
P.O. KADAVATHUR, KANNUR- 670 676.
81. BHARATHI O.K,
PRE PRIMARY TEACHER, MOKERI EAST UP SCHOOL,
P.O. MOKERI, KANNUR- 670 692.
82. AJISHA. U.,
PRE PRIMARY TEACHER,
GURUDEVA SAMARAKA LP SCHOOL,
CHERUPARAMBA, P.O. CHERUPARAMBA, KANNUR-670 693.
83. SHYNA M.P.,
PRE PRIMARY TEACHER,
GURUDEVA SAMARAKA LP SCHOOL,
CHERUPARAMBA, P.O. CHERUPARAMBA, KANNUR- 670 693.

84. JINISHA V.K,
PRE PRIMARY TEACHER, PUTHOOR L.P SCHOOL,
P.O. PUTHOOR, KANNUR- 670 692.
85. THWAHIRA A.R.,
PRE PRIMARY TEACHER, PUTHOOR L.P SCHOOL,
P.O. PUTHOOR, KANNUR- 670 692.
86. LIMSHY M.,
PRE PRIMARY TEACHER, THUVAKKUNNU LP SCHOOL,
P.O. THUVAKKUNNU, KANNUR- 670 693.
87. JISHA V.,
PRE PRIMARY TEACHER, THUVAKKUNNU LP SCHOOL,
P.O. THUVAKKUNNU, KANNUR- 670 693.
88. SAJITHA. K.,
PRE PRIMARY TEACHER, EAST VALLIYAI UP SCHOOL,
MOKERI, P.O. MUDIYANGA, KANNUR- 670 691.
89. SUSEELA V.C.,
PRE PRIMARY TEACHER, EAST VALLIYAI UP SCHOOL,
MOKERI, P.O. MUDIYANGA, KANNUR- 670 691.
90. VIPINA.V.,
PRE-PRIMARY TEACHER, VENGAD L.P. SCHOOL,
P.O. VENGAD, KANNUR-670 612.
91. DIVYA.C.,
PRE-PRIMARY TEACHER,
VAGDEVI VILASAM L.P. SCHOOL. KOORARA,
P.O. KOORARA, KANNUR- 670 694.
92. RIMSHA.K.P.,
PRE-PRIMARY TEACHER, POYILOOR EAST L.P. SCHOOL,
P.O. POYILOOR, KANNUR- 670 693.
93. SHYJA.C.,
PRE-PRIMARY TEACHER, POYILOOR EAST L.P. SCHOOL,
P.O. POYILOOR, KANNUR -670 693.
94. SEENA.K.P.,
PRE-PRIMARY TEACHER, MENAPRAM L.P. SCHOOL,
KANJHIRATHIN KEEZHIL, P.O. CHOKLI, KANNUR- 670 672.

95. VIJINA.K.P.,
PRE-PRIMARY TEACHER, PANNIYANNUR L.P. SCHOOL,
P.O. PANNIYANNUR, KANNUR -670 679.
96. JINCY.K.V.,
PRE-PRIMARY TEACHER, MOHAN MEMORIAL L.P. SCHOOL,
P.O. PARAL, KANNUR- 670 671.
97. SIBINA. N.K.,
PRE-PRIMARY TEACHER, CHOTHAVOOR EAST L.P. SCHOOL,
P.O. CHAMPAD, KANNUR- 670 694.
98. RAJINA.P.,
PRE-PRIMARY TEACHER, PUTHOOR CENTRAL L.P. SCHOOL,
P.O. PUTHOOR, KANNUR- 670 692.
99. PRAJINA.G.,
PRE-PRIMARY TEACHER, CHAMPAD L.P. SCHOOL,
P.O. CHAMPAD, KANNUR -670 694.
100. USHA.K.K.,
PRE-PRIMARY TEACHER, PALATHAYI U.P. SCHOOL,
KADAVATHUR, KANNUR- 670 676.
101. RAMYA.T.P.,
PRE-PRIMARY TEACHER, PALATHAYI. U.P. SCHOOL,
KADAVATHUR, KANNUR -670 676.
102. SAJINA. P.K.,
PRE-PRIMARY TEACHER, PALATHAYI U.P. SCHOOL,
KADAVATHUR, KANNUR- 670 676.
103. RAJILA.V.P.,
PRE-PRIMARY TEACHER, CENTRAL PUTHOOR L.P. SCHOOL,
PUTHOOR, KANNUR- 670 692.
104. JIMNA.C.,
PRE-PRIMARY TEACHER, KOLAVALLOR WEST L.P. SCHOOL,
P.O. CHERUPARAMBA, KANNUR -670 693.
105. AJITHA.K.,
PRE-PRIMARY TEACHER, EAST VALLIYAI U.P. SCHOOL,
P.O. MUDIYANGA, KANNUR -670 691.
106. BINDU.U.V.,
PRE-PRIMARY TEACHER, EAST VALLIYAI U.P. SCHOOL,
P.O. MUDIYANGA , KANNUR -670 691.

107. SHIMA.T.K,
PRE-PRIMARY TEACHER, EAST VALLIYAI U.P. SCHOOL,
P.O. MUADIYANGA, KANNUR- 670 691.
108. VIJITH. M.,
PRE-PRIMARY TEACHER, PALAKKAD U.P. SCHOOL,
P.O. ELANGODE, KANNUR-670 692.
109. MINIMOL M.P.,
PRE-PRIMARY TEACHER, THIRUVA U.P. SCHOOL,
P.O. ELANGODE, KANNUR-670 692.
110. SAJISHA P.,
PRE-PRIMARY TEACHER, KADAVATHUR V.V.U.P.SCHOOL,
P.O.KADAVATHUR, KANNUR-670 676.
111. SANDHYA K.K.,
PRE-PRIMARY TEACHER, VIJNANODAYAM L.P. SCHOOL,
THUVAKKUNNU, P.O. THUVAKKUNNU, KANNUR-670 693.
112. MEERA.T.,
PRE-PRIMARY TEACHER, BAVANTA PARAMBA L.P. SCHOOL,
P.O.CHAMPAD, KANNUR-670 694.
113. AGHILA. C.,
PRE-PRIMARY TEACHER, KOLAVALLOOR L.P. SCHOOL,
P.O. THIRUVAKKUNNU, KANNUR-670 693.
114. SHEEBA. M.K.,
PRE-PRIMARY TEACHER, MADATHIL POOKODE L.P. SCHOOL,
P.O. POOKODE, KANNUR-670 691.
115. REJANI.C.,
PRE-PRIMARY TEACHER, E.K.U.P. SCHOOL,
P.O.EAST KADIRUR, KANNUR-670 642.
116. SAJINA M.P.,
PRE-PRIMARY TEACHER, JANARANJINI L.P. SCHOOL,
CHAMPAD, P.O. CHAMPAD, KANNUR-670 694.
117. PRASEETHA.N.,
KURUMBUKKAL L.P. SCHOOL, P.O. MANGATTIDAM,
KANNUR-670 643.
118. VIJILA.T.V.,
PRE-PRIMARY TEACHER, KOLAVALLOOR L.P. SCHOOL,
P.O. THUVAKKUNNU, KANNUR-670 693.

119. NEETHU K.,
PRE-PRIMARY TEACHER, ELANGODE EAST L.P. SCHOOL,
P.O.ELANGODE, KANNUR-670 692.
120. JIGISHA.G.,
PRE-PRIMARY TEACHER, KOLAVALLOR L.P. SCHOOL,
P.O.THUVAKKUNNU, KANNUR-670 693.
121. SREESHMA.K.,
PRE-PRIMARY TEACHER, KOLAVALLOR L.P. SCHOOL,
P.O.THUVAKKUNNU, KANNUR-670 693.
122. PREMISHA.P.,
PRE-PRIMARY TEACHER, KANNANKODE WEST L.P. SCHOOL,
P.O.THUVAKKUNNU, KANNUR-670 693.
123. DHANYA K.P.,
PRE-PRIMARY TEACHER, CHAMPAD NORTH L.P. SCHOOL,
P.O. CHAMPAD, KANNUR-670 694.
124. SHEEBAMOL.S.,
PRE-PRIMARY TEACHER, MOHAN MEMORIAL L.P. SCHOOL,
P.O. PARAL, KANNUR-670 671.
125. SHEENA.P.I.,
PRE-PRIMARY TEACHER, PANOOR U.P. SCHOOL,
P.O. PANOOR, KANNUR-670 692.
126. SHYMA P.,
PRE-PRIMARY TEACHER, MADIYAMBATH M.L.P. SCHOOL,
P.O. MEKKUNNU, KANNUR-670 672.
127. SOBHANA.V.P.,
PRE-PRIMARY TEACHER, KOORARA L.P. SCHOOL,
P.O. KOORARA, KANNUR-670 694.
128. PRAMEELA. K.T.,
PRE-PRIMARY TEACHER, PODIKULAM L.P. SCHOOL,
P.O. CHAMPAD, KANNUR-670 694.
129. DIVINA. P.P.,
PRE-PRIMARY TEACHER, CHAMPAD WEST U.P. SCHOOL,
P.O. MELE CHAMPAD, KANNUR-670 694.
130. JIJENA.K.,
PRE-PRIMARY TEACHER, CHAMPAD WEST U.P. SCHOOL,
P.O. MELE CHAMPAD, KANNUR-670 694.

WP(C).No. 5537 of 2013 (N)

131. MUHASINA.V.,
PRE-PRIMARY TEACHER
MADHRASSA THALEENUL AVAM U.P. SCHOOL,
P.O. THALASSERRY, KANNUR-670 101.
132. SMITHANAND.T.V.,
PRE-PRIMARY TEACHER, KOZHUMGUMVELLI L.P. SCHOOL,
P.O. KOORARA, KANNUR-670 694.
133. SREEBA. M.K.,
PRE-PRIMARY TEACHER, AMMA SAHAYAM U.P. SCHOOL
THEKKUMTHARA. P.O., KALPETTA, WAYANAD-673 121.
134. SINIMOL JOSEPH,
PRE-PRIMARY TEACHER, S.A.L.P. SCHOOL,
THARIODE. P.O., MANJOORA VIA, WAYANAD DISTRICT.
135. BINDU. K.S., PRE-PRIMARY TEACHER,
ST. JOSEPH'S U.P. SCHOOL, MEPPADI, WAYANAD.
136. RAJEESHA E.K.,
PRE-PRIMARY TEACHER, VALAL U.P. SCHOOL, VALAL,
MADUKUNNU.P.O., KALPATTIA VIA., WAYANAD-673 121.
137. ANITHA. N.V.,
PRE-PRIMARY TEACHER, VALAL U.P. SCHOOL, VALAL,
MADUKUNNU. P.O., KALPETTA VIA., WAYANAD-673 121.

BY ADV. SRI.KALEESWARAM RAJ.

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF GENERAL EDUCATION,
SECRETARIAT, THIRUVANANTHAPURAM-695 001.
2. DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM-695 001.

BY ADV. SRI.K.A.JALEEL, ADDL. ADVOCATE GENERAL
SPL. GOVT. PLEADER SRI.T.T. MUHAMOOD.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 30/03/2015, ALONG WITH WP(C). NO.18943 OF 2014 AND
CONNECTED CASES, THE COURT ON 04/06/2015 DELIVERED
THE FOLLOWING:

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE PRE-PRIMARY SCHOOL EMPLOYEES (REMUNERATION ORDER) REGULATIONS 2000.
- EXT.P2 COPY OF THE REPRESENTATION DATED 05/01/2012 SUBMITTED BY PRE-PRIMARY TEACHER'S ASSOCIATION BEFORE THE HONOURABLE CHIEF MINISTER OF KERALA.
- EXT.P3 COPY OF THE LETTER DATED 02/06/2012 ISSUED BY THE GOVERNMENT.
- EXT.P4 COPY OF THE JUDGMENT DATED 01/08/2012 IN W.A. NO.205/2011.
- EXT.P5 COPY OF THE GO(RT) NO.385/2012 DATED 07/12/2012.
- EXT.P6 COPY OF THE G.O.(RT) NO.693/2013/FIN DATED 29/01/2013.
- EXT.P7 COPY OF THE RELEVANT PART OF THE ORDER DATED 17/01/2013 ISSUED BY THE 2ND RESPONDENT.

RESPONDENT'S EXHIBITS:-

- EXT.R1A COPY OF THE LETTER NO.13989/P1/14/G.EDN. DATED 11/09/2014.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).Nos. 5537/2013, 14277/2014, 18943/2014,  
18949/2014, 19066/2014, 19094/2014, 27938/2014,  
33825/2014 & 8197/2015**  
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Dated this the 4th Day of June, 2015

J U D G M E N T

The petitioners are pre-primary school teachers and Ayahs working in various aided schools in the State. They have approached this Court seeking relief against the Government for salary/honorarium at least at the rate fixed by this Court in the judgment in W.A.No.205/2011.

2. This Court in the above writ appeal ordered as follows:

We, therefore, direct the Government as an interim measure, to start paying @ Rs.5,000/- per month to all Pre-Primary School Teachers in such Schools attached to Government Schools run by Parent-Teachers Association and Rs.3,500/- per month to Ayahs, until final decision is taken by the Government. The payment should start for the

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period starting from 01/08/2012 onwards, i.e. For the salary payment due from 01/09/2012 onwards, until final decision is taken by the Government. The payment so made will be only adhoc and subject to final orders of the Government based on Policy to be evolved by them. We are sure that the Government will not commit any mistake of fixing the salary at anything below the minimum stated by us above, though only as a temporary measure."

3. The above direction was to make payment to all pre-primary teachers and Ayahs in Government schools run by Parent-Teachers Association. Petitioners' case is that pre-primary school teachers and Ayahs in aided schools are also not different and they are also entitled for similar benefits.

4. The learned Senior Counsel Shri Abraham Vakkanal would argue that pre-primary school is a part of elementary education and any appointments made by the Manager in pre-primary schools are part of elementary education. It is also argued that the Government has recognised the appointments of

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pre-primary teachers made in the aided schools and the Government has encouraged such appointments and therefore, the Government is bound to pay salary at least at the rate fixed in the judgment in the writ appeal.

5. Shri Devan Ramachandran appearing for some of the petitioners also argues that in the light of Pre-Primary School Employees (Remuneration Order) Regulations 2000, the pre-primary teachers and Ayahs are entitled for similar benefits. It is further argued that it is the duty of the Government to provide pre-primary education to students under the Right of Children to Free and Compulsory Education Act, 2009. He further submits that the writ appeal judgment itself takes note of the right of the students to get primary and pre-primary education and the obligation of the Government to provide quality education at primary and pre-primary levels. Therefore, it is submitted that if pre-primary teachers are not paid basic remuneration

for their existence, quality of education would become mirage.

6. The learned counsel Shri Kaleeswaram Raj for some of the writ petitioners submits that appointments are made by the Parent-Teachers Association in aided schools. He submits that Parent-Teachers Association is a creation by the Government and their existence is recognised under law. It is further submitted that in the instructions given to the schools for organisation of Parent-Teachers Association, the Government formulated guidelines to achieve quality education through Parent-Teachers Association. Therefore, it is argued that the Government is bound to honour the appointments made by Parent-Teachers Association in aided schools.

7. The learned Additional Advocate General Shri Jaleel K.A. submits that there are Anganwadis in the State which cater the requirements of pre-primary education. It is submitted that in the matter of

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appointments made by the Management or Parent-Teachers Association without concurrence of the State, the State is not liable to pay any amount to those appointees. It is further submitted that the State Government has no legal obligation to pay salary of teachers and Ayahs in the pre-primary schools run by Parent-Teachers Association. If at all any liability exists, that liability is with the Management.

8. Kerala Education Rules framed under the Kerala Education Act classify schools for general education into two grades viz. primary and secondary. There is no mention of any pre-primary schools in the KER or under the Act. Chapter V of the KER also refers on procedure for recognising schools. It is only in accordance with the method provided under the Chapter, the primary and secondary schools can be recognised by the Government even for the aid. It is also apposite to advert Section 9 of the Kerala Education Act which reads as follows:

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"9. Salary of teachers, etc. and grants to aided schools.-

(1) The Government shall pay the salary of all teachers in aided schools direct or through the Headmaster of the school.

(2) The Government shall pay the salary of the non-teaching staff of the aided schools appointed before the 31st May 1957 and continuing in office at the commencement of this section on the scale applicable to them immediately before the 31st May 1957, it shall be competent for the Government to prescribe the number of persons to be appointed in the non-teaching establishment of aided schools, their salaries, qualifications and other conditions of service. The salary of the persons appointed in the non-teaching establishment in accordance with the rules so prescribed shall be paid by the Government.

(3) The Government may pay to the Manager a maintenance grant at such rates as may be prescribed.

(4) The Government may make grants-in-aid for the purchase, improvement and repairs of any land, building or equipment of an aided school."

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9. The above provision only mandates obligation of the Government to pay salary to teachers and non-teaching staff of aided schools. Aided school is defined under Section 2(1) of the Kerala Education Act, 1958 as follows:

(1) "aided school" means a private school which is recognised by and is receiving aid from the Government, but shall not include educational institutions entitled to receive grants under Article 337 of the Constitution of India, except in so far as they are receiving aid in excess of the grants to which they are so entitled."

10. In the light of the legal provisions as above, only schools which are recognised to receive aid alone will be entitled to oblige the Government to pay salary to teaching and non teaching staffs. Pre-primary teachers/Ayachs appointed in pre-primary schools attached to aided schools have no legal relationship with the Government.

11. The appointments in primary classes are made by Parent-Teachers Association or Management in aided schools. The Government has not given permission to any Management or Parent-Teachers Association to open pre-primary schools with the aid of Government. The direction of this Court in the writ appeal referred as above is only in respect of pre-primary schools started in Government schools. It is for the obvious reason that the Government is the Manager of such schools, the Government is bound to recognise any such entity within the school. However, in the case of aided schools, the Government's obligation to provide aid is only to the extent of aid agreed under the agreement. The Government has no obligation to pay any amount payable as salary to the pre-primary teachers or Ayahs in the aided schools.

12. Mere recognition of Parent-Teachers Association by the Government or even existence of pre-primary schools in the aided schools recognised by the

Government will not create legal obligation on the part of the Government to pay salary or remuneration to such appointees in the pre-primary schools. Right to education as contemplated under the Right of Children to Free and Compulsory Education Act, 2009 and the Rules framed in Kerala also prescribe the procedure through which recognition for aid has to be qualified. It is for the Authority which has taken the decision and which has permitted to open pre-primary schools, is under any obligation to pay salary payable to the pre-primary teachers/Ayachs. No doubt, the petitioners are entitled for such payment from Management or Parent-Teachers Association which is, in fact, as ordered by this Court in the writ appeal as reasonable remuneration, till the final decision to be taken by the Government.

13. Accordingly, the petitioners' relief against Government for payment of salary/honorarium in par with

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the pre-primary schools attached to Government schools and other benefits is declined.

14. However, the State machinery shall not fail to ensure at least minimum amount ordered in the writ appeal judgment, be paid by the Management or the Parent-Teachers Association to the petitioners. The State shall take necessary steps to ensure that the Management and Parent-Teachers Association pay the amount ordered in writ appeal judgment to the petitioners or like. Needful shall be done by the Government within three months.

The writ petitions are disposed of as above. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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