

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

WP(C).No. 3062 of 2015 (G)

PETITIONER(S):

**NEENU BABY, AGED 32 YEARS,
WIFE OF JINESH K. PAUL,
HIGH SCHOOL ASSISTANT (ENGLISH),
EBENEZER HIGH SCHOOL,
VETTOOR, NELLAD, MUVATTUPUZHA,
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.V.A.MUHAMMED
SRI.V.RAJASEKHARAN NAIR**

RESPONDENT(S):

- 1. THE STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
JAGATHY, THIRUVANANTHAPURAM - 695 014.**
- 3. THE DISTRICT EDUCATIONAL OFFICER,
MUVATTUPUZHA, ERNAKULAM DISTRICT - 686 673.**
- 4. THE MANAGER,
EBENEZER HIGH SCHOOL, VETTOOR, NELLAD,
MUVATTUPUZHA - 686 661, ERNAKULAM DISTRICT.**
- 5. THE HEADMASTER,
EBENEZER HIGH SCHOOL, VETTOOR, NELLAD,
MUVATTUPUZHA - 686 661, ERNAKULAM DISTRICT.**

R1 TO R3 BY SENIOR GOVERNMENT PLEADER SRI.V.VIJULAL

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 3062 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER
DATED 2.6.2008.**

**EXHIBIT P2: TRUE COPY OF THE PROMOTION APPOINTMENT OF THE PETITIONER
DATED 1.6.2010.**

**EXHIBIT P3: TRUE COPY OF THE ORDER NO.EC3/73306/12/DPI/K.DIS DATED 24.4.2013
OF THE 2ND RESPONDENT.**

**EXHIBIT P4: TRUE COPY OF THE REVISION PETITION FILED BEFORE THE
GOVERNMENT DATED 31.12.2014.**

EXHIBIT P5: TRUE COPY OF THE WORKLOAD STATEMENT OF THE SCHOOL.

EXHIBIT P6: TRUE COPY OF THE TIME TABLE OF THE SCHOOL.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.3062 of 2015

Dated this the 30th day of January, 2015

JUDGMENT

The petitioner was appointed as UPSA in an aided school with effect from 2.6.2008. The petitioner was promoted as HSA with effect from 1.6.2010. But the appointment of the petitioner was only approved with effect from 1.6.2011 on the ground that there was a ban in making the appointment. The petitioner submits that the vacancy of HSA English was admissible in the School from 1.6.2010. Therefore, the petitioner is entitled for approval with effect from 1.6.2010. Aggrieved by the rejection of the approval, the petitioner has approached the Government by Ext.P4.

In view of the above, there shall be a direction to the first respondent to consider and pass appropriate orders on Ext.P4 after hearing the petitioner and the Manager within a period of four months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE