

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 3RD DAY OF FEBRUARY 2015/14TH MAGHA, 1936

WP(C).No. 3303 of 2015 (K)

PETITIONER(S):

**P.P.MURALI,
HEADMASTER, SOUTH AMUP SCHOOL, NADUVANNUR
NADUVANNUR P.O., PERAMBRA, KOZHIKODE.**

**BY ADVS.SRI.P.C.SASIDHARAN
SRI.E.S.ASHRAF
SRI.ARAVINDA KUMAR BABU T.K.
SRI.P.E.SAJAL**

RESPONDENTS:-:

- 1. THE ASSISTANT EDUCATIONAL OFFICER,
OFFICE OF THE ASSISTANT EDUCATIONAL OFFICER
PERAMBRA - 673 525.**
- 2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTIONS
TRIVANDRUM - 695 001.**
- 3. THE SUB TREASURY OFFICER,
SUB TREASURY, PERAMBRA - 673 525.**

BY SENIOR GOVERNMENT PLEADER SRI.M.A.FAYAZ

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1. TRUE COPY OF THE LETTER ISSUED BY THE 1ST RESPONDENT DATED 22.02.2011.
- EXHIBIT P2. TRUE COPY OF THE EXPLANATION SUBMITTED BY THE PETITIONER.
- EXHIBIT P3. TRUE COPY OF THE EXPLANATION SUBMITTED BY THE TEACHER.
- EXHIBIT P4. TRUE COPY OF THE EXPLANATION SUBMITTED BY THE TEACHER.
- EXHIBIT P5. TRUE COPY OF THE EXPLANATION SUBMITTED BY THE TEACHER.
- EXHIBIT P6. TRUE COPY OF THE EXPLANATION SUBMITTED BY THE TEACHER.
- EXHIBIT P7. TRUE COPY OF THE EXPLANATION SUBMITTED BY THE TEACHER.
- EXHIBIT P8. TRUE COPY OF THE COMMUNICATION.
- EXHIBIT P9. TRUE COPY OF THE EXPLANATION SUBMITTED BY THE PETITIONER TO THE NOTICE ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT P10. TRUE COPY OF THE LETTER.
- EXHIBIT P11. TRUE COPY OF THE COMMUNICATION DATED 01.04.2013 ISSUED TO THE PETITIONER.
- EXHIBIT P12. TRUE COPY OF THE EXPLANATION SUBMITTED BY THE PETITIONER.
- EXHIBIT P13. TRUE COPY OF THE PROCEEDING OF THE 1ST RESPONDENT.
- EXHIBIT P14. TRUE COPY OF THE LETTER OF THE 1ST RESPONDENT.
- EXHIBIT P15. TRUE COPY OF THE EXPLANATION SUBMITTED BY THE PETITIONER.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.3303 OF 2015

Dated this the 3rd day of February, 2015

JUDGMENT

The petitioner is the Headmaster of South AMUP School, Naduvannur. Petitioner approached this Court on account of withholding his monthly salary on the alleged ground of irregularity in the admission of students during the academic year 2009 - 2010. Raising objection to the proceedings, the petitioner filed Ext.P15 representation before the first respondent. Petitioner submitted that there is no scope for recovery from his salary.

2. Considering the pendency of Ext.P15, appropriate decision shall be taken by the first respondent, after advertng to Ext.P15, within a period of six weeks from the date of receipt of a copy of this judgment. Till the decision is taken, no recovery shall be effected from the salary of the petitioner. Last month's salary of the petitioner shall be released to him forthwith. It is made clear that if any adverse order is passed

against the petitioner, that order shall be kept suspended for a further period of two weeks to enable the petitioner to work out his alternative remedy.

The writ petition is disposed of with the above directions. The petitioner shall produce a copy of the writ petition along with a copy of this judgment before the first respondent.

Sd/-

**A.MUHAMED MUSTAQUE,
Judge.**

dpk

/True copy/ PS to Judge.

