

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. 3333 of 2015 (N)

PETITIONER(S)/PETITIONER:

NASLA K,
HIGH SCHOOL ASSISTANT, ENGLISH
ISHATHUL ULOOM HIGH SCHOOL, PARAPPUR, KOTTAKKAL
MALAPPURAM

BY ADVS.SRI.AUGUSTINE JOSEPH
SRI.K.S.ROCKEY
SRI.TONY AUGUSTINE
SRI.M.STEPHEN

RESPONDENT(S)/RESPONDENTS:

1. STATE OF KERALA,
REP BY THE SECRETARY, GENERAL EDUCATION
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001
2. THE DISTRICT EDUCATIONAL OFFICER
TIRUR, MALAPPURAM -676101
3. THE MANAGER,
ISHATHUL ULOOM HIGH SCHOOL, PARAPPUR, KOTTAKKAL
MALAPPURAM-676503

R BY 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:

WP(C).No. 3333 of 2015 (N)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1:-TRUE COPY OF THE APPOINTMENT ORDER DTD 30/7/2010 OF THE
PETITIONER

P2:-TRUE COPY OF THE GOVERNMENT ORDER DTD 19/1/2006

P3:-TRUE COPY OF THE PETITION DTD 10/11/2013

P4:-TRUE COPY OF THE ORDER OF THE 1ST RESPONDENT DTD 12/1/2015

P5:-TRUE COPY OF THE PETITION DTD 15/1/2015

RESPONDENT(S) ' EXHIBITS

: NIL

/TRUE COPY/

P.S. TO JUDGE.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No. 3333 OF 2015

Dated this the 3rd day of February, 2015

JUDGMENT

The petitioner was appointed in a leave vacancy with effect from 30/7/2010 in an aided school. She submitted that her appointment was in regular scale with effect from 30/7/2010 to 31/3/2011. Petitioner further submits that she is entitled to get approval for the remaining period with effect from 1-4-2011 to 31-5-2011. She submits that she is entitled to get approval of her appointment on regular scale from 30/7/2010 to 31/5/2012 since she was a Rule 51 A claimant. However, petitioner submits that approval of her appointment has been only granted on daily wages. She submitted that though his service was regularised, she was paid regular scale pay excluding the period from 1-4-2011 to 31/5/2011. She submits that in view of the judgment of this Court in NSS v. State of Kerala (2013 (4) KLT 921), she is entitled for vacation salary. Therefore, the petitioner approached the

Government by filing Ext.P5.

2. In view of pendency of Et.P5,.there shall be a direction to the Government to dispose of Ext.P5, after hearing the petitioner, within a period of three 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.**

dpk

/true copy/ PS to Judge.

