

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 19TH DAY OF JANUARY 2015/29TH POUSHA, 1936

WP(C).No. 6408 of 2011 (A)

PETITIONER(S) :

C.P. POCKER,
MANAGER, C.P.P.H.M.H.S. OZHUR,
VELLACHAL.P.O, MALAPPURAM.

BY ADVS.SMT.S.KARTHIKA
SRI.M.R.ANISON

RESPONDENT(S) :

1. STATE OF KERALA, REP. BY ITS
SECRETARY TO GOVT., GENERAL EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.695 001

2. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM 695 001.

3. THE DEPUTY DIRECTOR OF EDUCATION,
MALAPPURAM, 676505

4. THE DISTRICT EDUCATIONAL OFFICER,
TIRUR.676 101

5. C.P.ASHARAF, S/O.LATE RAYIN, CHOLACKAL
PULIKKAL PARAMBIL, AYYAYA, OZHUR.P.O
MALAPPURAM, PIN-676313.

R4 BY ADV. GOVERNMENT PLEADER M.J.RAJASREE

R5 BY ADV. SRI.BABU S. NAIR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
19-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

WPC NO.6408/2011

EXT.P1: COPPY OF THE ORDER DATED 3/3/2008 ISSUED BY THE PETITIONER.
EXT.P2: COPY OF REPLY SUBMITTED BY THE PETITIONER DATED 19/10/2007 BEFORE THE 2ND RESPONDENT.
EXT.P3: COPY OF THE LETTER SUBMITTED BY THE 5TH RESPONDENT DATED 26/3/2008.
EXT.P4: COPY OF THE ORDER DATED 30/5/2008 ISSUED TO THE 3RD RESPONDENT.
EXT.P5: COPY OF THE ARGUMENT NOTE SUBMITTED BY THE PETITIONER DATED 16/9/2008.
EXT.P6: COPY OF THE ORDER DATED 20/11/2008 ISSUED BY THE 2ND RESPONDENT.
EXT.P7: COPY OF THE REVISION PETITON FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DATED 11/12/2008.
EXT.P8: COPY OF THE ORDER DATED 31/1/2011 ISSUED BY THE 1ST RESPONDENT.
EXT.P9: COPY OF THE RELEVANT PAGE OF THE PROPERTY TAX REGISTER.
EXT.P10: COPY OF THE PHOTOGRAPH OF THE BUILDING IN WHICH THE ENGLISH MEDIUM SCHOOL IS FUNCTIONING.

RESPONDENTS EXHIBITS;

EXT.R4(A): COPY OF THE LEGAL HEIRSHIP CERTIFICATE.

EXT.R4(B): COPY OF THE INCOME CERTIFICATE BY VILLAGE OFFICER, OZHUR DATED 5/9/2008

EXT.R5(A): COPY OF THE COMMUNICATION ISSUED BY THE PETITIONER DATED 8/11/1997 TO THIS RESPONDENT.

EXT.R5(B): COPY OF THE RERQUEST MADE BY THIS RESPONDENT TO THE PETITIONER DATED 5/7/2007.

EXT.R5(C): COPY OF THE LETTER ISSUED BY THIS RESPONDENT DATED 31/7/2007 TO THE PETITIONER.

EXT.R5(D): COPY OF THE ACKNOWLEDGMENT SHOWING THE RECEIPT OF EXHIBIT R5(c) .

EXT.R5(E): COPY OF THE COMPLAINT MADE BY THIS RESPONDENT TO THE D.E.O., THRUR, DATED 2/8/2007.

EXT.R5(F): COPY OF THE REPRESENTATION SUBMITTED BY THIS RESPONDENT DATED 6/8/2007 BEFORE THE DIRECTOR OF PUBLIC INSTRUCTIONS, TRIVANDRUM.

EXT.R5(G): COPY OF THE ORDER OF THE DIRECTOR OF PUBLIC INSTRUCTIONS, TRIVANDRUM DATED 20/11/2008 AS NO. E.M.(4)/55688/07/D.PI/K.DIS.

EXT.R5(H): COPY OF OF THE COVERING LETTER SUBMITTED ALONG WITH THE APPLICATION BY THIS RESPONDENT DATED 9/12/2008.

EXT.R5(I): COPY OF THE RORDER OF THE DIRECTOR OF PUBLIC INSTRUCTIONS, TRIVANDRUM DATED 30/11/2011.

EXT.R5(J): COPY OF THE INCOME CERTIFICATE ISSUED BY THE VILLAGE OFFICER DATED 5/9/2008 TO THIS RESPONDENT.

/true copy/

PS to Judge.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No. 6408 OF 2011

Dated this the 19th day of January, 2015

JUDGMENT

This writ petition is filed challenging the impugned order affirming the claim made by the 5th respondent for the post of peon in the petitioner-institution. The 5th respondent submitted that he has relinquished the entire claim and he has no claim whatsoever in nature against the petitioner-institution.

In view of the above, the impugned order is set aside and the writ petition is disposed of.

Sd/-

**A.MUHAMED MUSTAQUE,
Judge.**

dpk

/true copy/ PS to Judge.

