

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 13TH DAY OF MARCH 2015/22ND PHALGUNA, 1936

WP(C).No. 3834 of 2015 (D)

PETITIONER :

**GEO PAUL
ALLOOR HOUSE,
ESTATE ROAD, GRACE LINE
PERAMANGALAM, THRISSUR - 680 545.**

**BY ADVS.SRI.JOSHI N.THOMAS
SRI.SYLVESTER ESMOND RAPHAEL**

RESPONDENT(S) :

- 1. STATE OF KERALA
REPRESENTED BY CHIEF SECRETARY, SECRETARIAT
THIRUVANANTHAPURAM - 695 001.**
- 2. THE SECRETARY
DEPARTMENT OF GENERAL EDUCATION
THIRUVANANTHAPURAM - 695 001.**
- 3. THE DIRECTOR
STATE COUNCIL OF EDUCATION
RESEARCH AND TRAINING CENTRE, VIDYA BHAVAN
POOJAPPURA P.O., THIRUVANANTHAPURAM - 695 012.**

R1 TO R3 BY GOVT. PLEADER SRI. K.C. VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

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APPENDIX

PETITIONERS' EXHIBITS :

- EXT.P-1:** TRUE COPY OF COMMUNICATION NO.20285/12/CM DATED 4.6.2012 OF THE OFFICE OF THE CHIEF MINISTER.
- EXT.P-2:** TRUE COPY OF LETTER NO.47960/SC/1/2012/POVIVA THIRUVANANTHAPURAM DATED 25.1.2013.
- EXT.P-3:** TRUE COPY OF REPRESENTATION DATED 1.12.2014 OF THE PETITIONER ADDRESSED TO 2ND AND 3RD RESPONDENT.
- EXT.P-4:** TRUE COPY OF THE ACKNOWLEDGEMENT DATED 8.12.2014.
- EXT.P-5:** TRUE COPY OF RELEVANT PORTION OF POST GRADUATE RECRUITMENT OF KENDRIYA VIDYALAYA SANGATHAN (KVS) 2011 - 12 OBTAINED FROM NET.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

P.R.RAMACHANDRA MENON, J.

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Dated this the 13th day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

- i. Issue a writ of mandamus or any other writ, order or direction commanding the 2nd respondent to consider and pass order on Ext.P3 representation expeditiously.*
- ii. Declare that passing of State Eligibility Test or Kerala Teachers Eligibility Test as an essential qualification for appointment to the Higher Secondary School Teacher as far as petitioner is concerned.*

2. Heard the learned counsel for the petitioner as well as the learned Government Pleader appearing for the respondents.

3. The learned Government Pleader points out that the said examination is mandatory. However some relaxation to the possible extent can be considered by the Government in appropriate cases. The learned Government Pleader also submits that the grievance of the petitioner, if at all any, can be

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considered only by the second respondent. In view of the fact that the petitioner has already moved the second respondent by submitting Ext.P3, as early as on 1.12.2014, there shall be a direction to the second respondent to consider the same and pass appropriate orders in accordance with law, after holding an opportunity of hearing to the petitioner, at the earliest, at any rate within a period of three months from the date of receipt of a copy of this judgment.

The writ petition is disposed of accordingly. The petitioner shall produce a copy of this judgment along with a copy of the writ petition before the second respondent for further steps.

Sd/-

**P.R.RAMACHANDRA MENON,
JUDGE.**

rkc.