

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 9TH DAY OF FEBRUARY 2015/20TH MAGHA, 1936

WP(C) .No. 4067 of 2015 (G)

PETITIONER:

LEJU KUMARI K.P. AGED 35 YEARS
HSST(ZOOLOGY)MM HIGHER SECONDARY SCHOOL, OPPODU
EAST KALLADA P O, KOLLAM DIST

BY ADVS.SRI.M.V.THAMBAN
SRI.R.REJI
SMT.THARA THAMBAN
SRI.B.BIPIN
SRI.ARUN BOSE

RESPONDENTS:

1. STATE OF KERALA
REP BY ITS SECRETARY TO THE GOVERNMENT
DEPARTMENT OF GENERAL EDUCATION
GOVERNMENT SECRETARIAT, T HIRUVANANTHAPURAM
PIN-695001

2. THE DIRECTOR
HIGHER SECONDARY EDUCATION, HOUSING BOARD BUILDING
THIRUVANANTHAPURAM, PIN-695001

3. THE REVIONAL DEPUTY DIRECTOR,
HIGHER SECONDARY EDUCATION
CORPORATION BUILDINGS IVTH FLOOR, PALAYAM
THIRUVANANTHAPURAM DIST, PIN-691001

4. THE PRINCIPAL
MM HSS, UPPOODU, EAST KALLADA PO
KOLLAM DIST, PIN-691308

5. SRI K S RAVEENDRAN NAIR
(PREVIOUS MANAGER OF MM HIGHER SECONDARY SCHOOL
UPPOODU)R/A.UPASANA, UPPOODU, EAST KALLADA P O
KOLLAM DIST, PIN-691308

R BY GOVERNMENT PLEADER: SRI V VIJULAL SR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXT P1:-TRUE COPY OF THE ORDER NO PRO/05/2859/07/HSD DTD 31/3/2008

EXT P2:-TRUE COPY OF THE APPOINTMENT ORDER NO 1(1)2006/07 DTD
3/6/2006 BY THE THEN ADMINISTRATOR

EXT P3:-TRUE COPY OF THE JUDGMENT DTD 10/6/2011 IN WA NO 144/2006

EXT P4:-TRUE COPY OF THE REPRESENTATION DTD 22/1/2015 BEFORE THE 2ND
RESPONDENT DIRECTOR

RESPONDENT(S) ' EXHIBITS:NIL

True Copy/

P A to Judge

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.4067 of 2015
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Dated this the 09th day of February, 2015

JUDGMENT

Petitioner was appointed as Higher Secondary School Teacher (Zoology) on 22.08.2003. Petitioner submits that her appointment was against a sanctioned post. Petitioner submits that she was not paid salary from 22.09.2003 to 05.11.2007, but she was paid salary from 06.11.2007 to 12.02.2008 at the rate applicable to Guest Lecturers and she was paid regular salary only from 13.02.2008. However, approval of appointment was only given from 13.02.2008. Petitioner submits that she was fully qualified to be appointed to the post as on the date of notification. Therefore, she is entitled for approval with effect from the date of appointment.

2. Petitioner has already approached the Director of Higher Secondary Education by Ext.P4 representation. Only request made by the petitioner before this Court is for an early disposal of Ext.P4.

3. Considering the nature of request of the petitioner, there shall be a direction to the second respondent to consider and pass appropriate orders on Ext.P4 after hearing the

petitioner and Manager within a period of three months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

Sbna/09/02/15