

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 11TH DAY OF FEBRUARY 2015/22ND MAGHA, 1936

WP(C).No. 4288 of 2015 (I)

PETITIONER(S):

PREETHI P.
HIGH SCHOOL ASSISTANT(ENGLISH)
AZHIKODE HIGH SCHOOL, AZHIKODE P.O
KANNUR DIST PIN 670 306

BY ADV. SRI.MURALI PALLATH

RESPONDENT(S):

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVT.
GENERAL EDUCATION DEPARTMENT
GOVT. SECRETARIAT(ANNEX)
THIRUVANANTHAPURAM PIN 695 001
2. THE DIRECTOR OF PUBLIC INSTRUCTION, JAGATHY P.O,
THIRUVANANTHAPURAM, PIN 695 001
3. THE DEPUTY DIRECTOR OF EDUCATION,
KANNUR, THANA P.O, KANNUR DISTRICT.
4. THE DISTRICT EDUCATION OFFICER, KANNUR, KANNUR DIST
5. THE MANAGER
AZHIKODE HIGH SCHOOL, AZHIKODE
KANNUR DIST PIN 670 306

R1-4 BY SR. GOVERNMENT PLEADER SRI. V. VIJULAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
11-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 4288 of 2015 (I)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 TRUE COPY OF THE PETITIONER'S APPOINTMENT AND APPROVAL ORDER.
- EXHIBIT P2 TRUE COPY OF GO(P) No 56/2011/G EDN DATED 26-02-2011
- EXHIBIT P3 TRUE COPY OF REPRESENTATION SUBMITTED BY THE PETITIONER
BEFORE THE 4TH RESPONDENT
- EXHIBIT P4 TRUE COPY OF ENDORSEMENT NO B3/5853/11 DATED 14-09-2011
- EXHIBIT P5 TRUE COPY OF RELEVANT PAGES OF 2013(1) KHC 660(SC)
- EXHIBIT P6 TRUE COPY OF RELEVANT PAGES OF 2013(4) KHC SN 35
- EXHIBIT P7 TRUE COPY OF JUDGMENT OF THE HON'BLE HIGH COURT OF KERALA
DATED 24-01-2014 IN WPC No. 2410 OF 2014(A)
- EXHIBIT P8 TRUE COPY OF GO (RT) NO 3619/2014 G.EDN DATED 16-09-2014
- EXHIBIT P9 TRUE COPY OF REPRESENTATION DATED 28-01-2015 SUBMITTED BY THE
PETITIONER BEFORE THE GOVT
- EXHIBIT P10 TRUE COPY OF POSTAL RECEIPT DATED 02-02-2015

RESPONDENT(S)' EXHIBITS

NIL

// TRUE COPY //

P.A. TO JUDGE

sol.

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.4288 of 2015
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Dated this the 11th day of February, 2015

JUDGMENT

Petitioner was appointed as High School Assistant in Azhikode High School in Kannur district from 07.07.2008 onwards in the regular vacancy of K.C.Chandrasekharan who retired from service on 31.03.2008. The approval of appointment was granted by the 4th respondent with effect from 07.07.2008 to 31.03.2009 on daily wages and from 01.06.2009 onwards in the regular scale of pay. Petitioner's claim is that he is entitled for regular scale of pay with effect from the date of appointment. Petitioner approached the first respondent with Ext.P9 representation claiming regular scale of pay with effect from the date of appointment.

2. Learned Government Pleader submits that petitioner's claim is stale and petitioner has not taken up the matter within time.

3. Considering the facts and circumstances, there shall be a direction to the Government to consider Ext.P9 after hearing the petitioner within a period of four months from the

date of receipt of a copy of this judgment.

The Writ Petition is disposed of.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

Sbna/11/02/15