

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936

WP(C).No. 4827 of 2015 (C)

PETITIONER(S):

1. JOYMON EMMANUEL, ASST. PROFESSOR IN ELECTRICAL AND ELECTRONICS ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT 1-A, SANTHI RIVERDALE APARTMENTS, THYKODAM, VYTILLA, ERNAKULAM.
2. AJAY NATH.S.A., ASST. PROFESSOR IN ELECTRONICS AND COMMUNICATION ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT AMBADI, T.C.NO.79/229, ORUVATHILKOTTA, ANAYARA P.O., THIRUVANANTHAPURAM.
3. ASHITHA T.S., ASST. PROFESSOR IN ELECTRONICS AND COMMUNICATION ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT ANSHITHA HOUSE, POST BIYYAM, PONNANI, MALAPPURAM.
4. JAFFIN ANTONY, ASST. PROFESSOR IN ELECTRONICS AND COMMUNICATION ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT KAITHARA, KURISHUMOOD P.O., CHANGANACHERRY, KOTTAYAM.
5. ABDUL KAREEM V., ASST. PROFESSOR IN ELECTRONICS AND COMMUNICATION ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT KAKKUNDIL HOUSE, PALLIMUKKU, VILAYIL P.O., MALAPPURAM.
6. TEFFI FRANCIS, ASST. PROFESSOR IN ELECTRONICS AND COMMUNICATION ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT MINOA HERITAGE 8B, MANATH ROAD, THRIKKAKARRA P.O., KAKKANAD.
7. VISHNU PRADEEP.K., ASST. PROFESSOR IN ELECTRONICS AND COMMUNICATION ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT KATTUNKAL NIKARHIL, PATTANAKKAD P.O., CHERTHALA, ALAPPUZHA.

8. ANJALI.R., ASST. PROFESSOR IN ELECTRONICS AND COMMUNICATION ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT ANJALI NIVAS, GURPURAM, SOUTH ARYAD, AVALOOKUNNU P.O., ALAPPUZHA.
9. VEENA MATHEW, ASST. PROFESSOR IN ELECTRONICS AND COMMUNICATION ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT KOOTTUMKAL HOUSE, CHENNAKKUNNU, PONKUNNUAM P.O., KOTTAYAM.
10. MEERA.E., ASST. PROFESSOR IN ELECTRONICS AND COMMUNICATION ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT CHEMMATH ROAD, GANDHINAGAR, KALOOR.P.O., KOCHI.
11. ASWATHY V.SHAJI, ASST. PROFESSOR IN COMPUTER SCIENCE AND ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT VADAKKECHIRAYIL, VETTACKAL P.O., ALAPPUZHA.
12. ASHA THOMAS, ASST. PROFESSOR IN COMPUTER SCIENCE AND ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT NELLIYANIYIL (H), RAJAKUMARY SOUTH P.O., IDUKKI.
13. JOSNA JOSE, ASST. PROFESSOR IN COMPUTER SCIENCE AND ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT ODACKAL HOUSE, EZHALLOOR P.O., THODUPUZHA, IDUKKI.
14. JOYCE JOSE, ASST. PROFESSOR IN COMPUTER SCIENCE AND ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT ODACKAL HOUSE, EZHALLOOR P.O., THODUPUZHA, IDUKKI DISTRICT.
15. JUDY ANN JOY, ASST. PROFESSOR IN COMPUTER SCIENCE AND ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT PANGOTTIL HOUSE, MULAKULAM NORTH P.O., PIRAVOM, ERNAKULAM.
16. MEENU MATHEW, ASST. PROFESSOR IN COMPUTER SCIENCE AND ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT MNRA 154, PAREKUNNEL, MATHER NAGAR, CHANGAMPUZHA NAGAR P.O., S.KALAMASSERY.
17. ROHINI TM., ASST. PROFESSOR IN COMPUTER SCIENCE AND ENGINEERING, COLLEGE OF ENGINEERING, CHERTHALA, RESIDING AT THADATHIL, ERAVIMANGALAM P.O., ERAVIMANGALAM, KOTTAYAM.

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18. SUMAN ELIZABETH DANIEL, ASST. PROFESSOR IN
COMPUTER SCIENCE AND ENGINEERING,
COLLEGE OF ENGINEERING, CHERTHALA,
RESIDING AT KARAPPILLIL HOUSE,
MULANTHURUTHY P.O., ERNAKULAM.
 19. FATHIMA.N, ASST.PROFESSOR IN COMPUTER SCIENCE
AND ENGINEERING, COLLEGE OF ENGINEERING,
CHERTHALA, RESIDING AT CHERUKARAKKAVIL,
VARANAM.P.O., ALAPPUZHA.
 20. PRAMOD MATHEW JACOB, ASST. PROFESSOR IN
COMPUTER SCIENCE AND ENGINEERING,
COLLEGE OF ENGINEERING, CHERTHALA,
RESIDING AT ANUGRAHA, NEAR RAILWAY STATION,
MAVELIKARA P.O, . ALAPPUZHA.
 21. LOMIN JOY.V, ASST. PROFESSOR IN COMPUTER SCIENCE
AND ENGINEERING, COLLEGE OF ENGINEERING,
CHERTHALA, RESIDING AT VELLARA HOUSE,
AKKIKAVU P.O., KUNNAMKULAM, TRICHUR.

BY ADVS.SRI.PRATHEESH.P
SMT.S.SEETHA

RESPONDENT(S):

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1. STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF HIGHER EDUCATION,
GOVERNMENT OF KERALA, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
 2. INSTITUTE OF HUMAN RESOURCE DEVELOPMENT,
PRAJOE TOWERS, VAZHUTHACAUD,
THIRUVANANTHAPURAM,
REPRESENTED BY ITS DIRECTOR - 695 014.
 3. THE PRINCIPAL, COLLEGE OF ENGINEERING,
PALLIPPURAM.P.O., ALAPPUZHA DISTRICT - 688 541.

R1 BY GOVERNMENT PLEADER SMT.LOWSY.A
R2 BY SRI.V.A.MOHAMMED, SC, IHRD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 19-03-2015 ALONG WITH WPC.4828 & CONNECTED CASES,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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APPENDIX

PETITIONER(S)' EXHIBITS:

- P1: THE COPY OF THE G.O.(MS) NO.552/2014/H.EDN. DATED 19/7/2014.**
- P2: THE COPY OF THE REPRESENTATION FILED BY THE 1ST PETITIONER
BEFORE THE 3RD RESPONDENT.**
- P3: THE COPY OF THE LETTER NO.6764/B1/2011/H.EDN. DATED 13/1/2015 ISSUED
BY THE ADDL. CHIEF SECRETARY TO GOVERNMENT.**

RESPONDENT(S)' EXHIBITS: - **NIL**

/TRUE COPY/

P.S. TO JUDGE

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A. MUHAMED MUSTAQUE, J.

W.P.(C) Nos.4827, 4828, 5197 & 5198 of 2015

Dated this the 19th day of March, 2015

JUDGMENT

The petitioners in all these writ petitions are working on contract basis in the colleges run by the Institute of Human Resources Development (I.H.R.D). The petitioners rely on a Government Order dated 19.07.2014, produced as Ext.P1, wherein the Government have ordered that the teachers who were engaged on contract basis should be given minimum three years term and also should be given statutory benefits like Maternity Leave, ESI, EPF, CPF etc.

2. The petitioners submit that in the light of the above Government Order, petitioners are also entitled to continue in the service of the I.H.R.D. The petitioners have made requests before the Principals of the concerned Colleges.

3. I am of the view that it is for the 2nd Respondent to decide whether they should apply and accept the Government Order as such in their institutions. Therefore, appropriate

decision shall be taken by the 2nd Respondent within a period of two months from the date of receipt of a copy of this judgment. Till a decision is taken in the matter, the petitioners shall be permitted to continue in their present posts.

These writ petitions are disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE,
JUDGE.

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P.S. to Judge

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