

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 20TH DAY OF FEBRUARY 2015/1ST PHALGUNA, 1936

WP(C).No. 5388 of 2015 (W)

PETITIONER(S):

**A V NAJUMUNEESHA AGED 52 YEARS
W/O MUHAMMAD, ARABIC TEACHER
THENUR AIDED JUNIOR BASIC SCHOOL, PARALI PO
PALAKKAD DISTRICT, RESIDING AT ARAKKAL HOUSE,
PARALI PO, PALAKKAD DISTRICT - 678 612**

**BY ADVS.SRI.P.RAMACHANDRAN
SRI.K.T.SHYAMKUMAR**

RESPONDENT(S):

- 1. STATE OF KERALA REPRESENTED BY SECRETARY
GENERAL EDUCATION DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - I**
- 2. THE DIRECTOR OF PUBLIC INSTRUCTIONS
THIRUVANANTHAPURAM - I**
- 3. THE ASSISTANT EDUCATION OFFICER, PARALI P.O.
PALAKKAD DISTRICT, PIN - 678 612**
- 4. THE MANAGER, THENUR AIDED JUNIOR BASIC SCHOOL
PARALI PO, PALAKKAD DISTRICT, PIN- 678 612**

R1 TO R3 BY SRI V.VIJULAL, SENIOR GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

JV

WP(C).No. 5388 of 2015 (W)

APPENDIX

PETITIONER'S EXHIBITS:

- P1 : COPY OF ORDER BEARING NO.1587/2011/D DT.28.09.2013 BY THE 3RD
RESPONDENT**
- P2 : COPY OF ORDER NO.G1/72463/2013/DPI/K.DIS DT.03.12.2013**
- P3 : COPY OF REVISION PETITION SENT BY THE REVISION PETITIONER
TO THE FIRST RESPONDENT**

RESPONDENTS' EXHIBITS: N I L

//TRUE COPY//

P.A. TO JUDGE

JV

A. MUHAMED MUSTAQUE, J.

W.P.(C) No. 5388 of 2015

Dated this the 20th day of February, 2015

JUDGMENT

The petitioner is a claimant under Rule 51A of Chapter XIV A of Kerala Education Rules. She was working as Arabic Teacher from 01.06.2011 onwards. According to the petitioner, her appointment was not approved by the 3rd respondent on the ground that there is management dispute with respect to the school and her appointment has been made by an unapproved manager. Consequently, the 3rd respondent, Assistant Education Officer and the 2nd respondent, Director of Public Instructions rejected the petitioner's claim for approval of appointment. The petitioner claims that the appointment is in a retirement vacancy.

2. The learned Government Pleader points out that there is no sanctioned post and so the authorities rejected the approval.

3. The petitioner has already approached the Government by filing Ext.P3 revision petition. In view of the above, the 1st respondent is directed to consider Ext.P3

revision petition within a period of four months from the date of receipt of a copy of this judgment, after affording an opportunity of hearing to the petitioner.

The writ petition is disposed of.

JV

SD/-
A. MUHAMED MUSTAQUE,
JUDGE