

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

WP(C).No. 5756 of 2015 (T)

PETITIONER:

**SUJATHA P, AGED 50 YEARS
LPSA, MAKKOOTTAM A.M. UPPER PRIMARY SCHOOL
KUNNAMANGALAM, KOZHIKKODE DISTRICT.**

**BY ADVS.SRI.P.C.SASIDHARAN
SRI.ARAVINDA KUMAR BABU T.K.
SRI.P.E.SAJAL**

RESPONDENTS:

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT, SECRETARIAT
TRIVANDRUM - 695 001.**
- 2. THE DEPUTY DIRECTOR OF EDUCATION
KOZHIKKODE 673 001.**
- 3. ASSISTANT EDUCATION OFFICER
KUNNAMANGALAM, KOZHIKKODE DISTRICT - 673 571**
- 4. THE DISTRICT EDUCATION OFFICER
THAMARASSERY, KOZHIKKODE DISTRICT 673 001.**
- 5. THE MANAGER
MAKKOOTTAM A.M UPPER PRIMARY SCHOOL
KUNNAMANGALAM KOZHIKKODE DISTRICT - 673 571.**
- 6. MUHAMMED KOYA P.
LPSA, MAKKODAM A.M UPPER PRIMARY SCHOOL
KUNNAMANGALAM KOZHIKKODE DISTRICT - 673 571.**

**BY ADVS. SRI.V.RAJASEKHARAN NAIR
SMT.P.A.JENZIA
BY GOVERNMENT PLEADER SMT. M.J. RAJASREE**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
18-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S' EXHIBITS:-

- EXT.P1 - COPY OF THE REPRESENTATION MADE BY THE PETITIONER.
- EXT.P2 - COPY OF THE ORDER OF THE 2ND RESPONDENT DATED
25-07-2014.
- EXT.P3 - COPY OF THE ORDER DATED 10-12-2014.

RESPONDENTS' EXHIBITS:-

- EXT.R6(A) - COPY OF THE REVISION PETITION FILED BY THE MANAGER
DATED 14.02.2015 BEFORE THE DIRECTOR.
- EXT.R6(B) - COPY OF THE SENIORITY LIST.
- EXT.R6(C) - COPY OF THE JUDGMENT IN WP(C) NO.14971 OF 2014-V
DATED 24.06.2014.
- EXT.R6(D) - COPY OF THE CERTIFICATE ISSUED BY THE KPSC (KE ACT
AND RULES).
- EXT.R6(E) - COPY OF THE CERTIFICATE ISSUED BY THE KPSC DATED
03.03.2015 (KSR ETC.).
- EXT.R6(F) - COPY OF THE JUDGMENT IN WP(C) NO.28366 OF 2014-U
DATED 29.10.2014.
- EXT.R6(G) - COPY OF THE HEARING NOTE ALONG WITH COVERING
LETTER.

//TRUE COPY//

P.A. TO JUDGE

sp

K. VINOD CHANDRAN, J.

W.P(C). No.5756 of 2015-T

Dated this the 18th day of December, 2015.

JUDGMENT

The petitioner seeks implementation of Ext.P3 order. However, the Head Master has filed a Counter Affidavit, in which Ext.R6(a) has been produced, which indicates that an appeal has been preferred by the Manager before the DPI. It is also submitted that, there is no interim order passed in the above appeal and Ext.P6, which has been passed as early as on 10.12.2014, has not been implemented till now.

In such circumstance, the DPI shall issue notice to the Manager, the affected Teacher and

the petitioner herein and dispose of the matter at any rate within a period of one month from the date of receipt of the certified copy of this judgment.

The writ petition is disposed of, making it clear that this Court has not made any observation on merits.

Sd/-

**K. VINOD CHANDRAN,
JUDGE.**

//True Copy//

P.A. to Judge.

sp/21/12/15