

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 2ND DAY OF MARCH 2015/11TH PHALGUNA, 1936

WP(C).No. 6075 of 2015 (H)

PETITIONER(S):

**SANDHYA T., AGED 47 YEARS,
W/O. RADHAKRISHNAN NAIR, KRISHNA JYOTHIS (H)
OPP. POORNA AUDITORIUM, KALADY, ERNAKULAM DISTRICT
NOW WORKING AS HSST SANSKRIT BRAHMANDHODAYAM HSS
KALADY.**

BY ADV. SRI.PAULSON THOMAS

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY, GENERAL EDUCATION DEPT.,
SECRETARIAT, THIRUVANANTHAPURAM, PIN-695001.**
- 2. THE DIRECTOR,
DIRECTORATE OF HIGHER SECONDARY EDUCATION ,
HOUSING BOARD BUILDING, THIRUVANANTHAPURAM
PIN- 695001.**
- 3. THR REGIONAL DIRECTOR,
OFFICE OF THE REGIONAL DIRECTOR OF
HIGHER SECONDARY EDUCATION
EDAPPALLY, ERNAKULAM 682024**
- 4. THE MANAGER, BRAHMANDAHODAYAM
HIGHER SECONDARY SCHOOL, KALADY,
ERNAKULAM DISTRICT-683574.**

R1-3 BY SENIOR GOVERNMENT PLEADER SRI.M.A.FAYAZ

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 6075 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: COPY OF THE APPROVAL ORDER DATED 5.4.2006 OF THE PETITIONER
AS HSST (SANSKRIT)**

EXHIBIT P2: COPY OF THE M.A.DEGREE CERTIFICATE OF THE PETITIONER

EXHIBIT P3: COPY OF THE M.E.D. DEGREE CERTIFICATE IF THE PETITIONER

**EXHIBIT P4: COPY OF THE REPRESENTATION DATED 23/10/14 FILED BY THE
PETITIONER BEFORE THE RESPONDENT STATE GOVERNMENT**

EXHIBIT P5: COPY OF G.O.(MS) NO. 162/98/GEN. EDN. DATED 13.5.1998

EXHIBIT P6: COPY OF INTERIM ORDER OF THE APEX COURT DATED 7.12.1999

EXHIBIT P7: G.O.(MS)NO. 298/2000/ GEN. EDN. DATED 25.8.2000

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P.(C).No. 6075 of 2015

Dated this the 2nd day of March, 2015

J U D G M E N T

The petitioner is now working as HSST (Sanskrit) in Brahmanandhodayam Higher Secondary School with effect from 23.8.2000. The petitioner was appointed by transfer from the post of U.P.S.A. of the same school. The petitioner submits that all the vacancy were arose in the said school on 14.8.2000 and she was fully qualified for that post. Two posts were set apart by the management in the in-service quota in the 25% quota. The petitioner submits that the petitioner is entitled for appointment with effect from 14.8.2000. The petitioner has approached this Court seeking for notational appointment by transfer with effect from 14.8.2000, considering the occurrence of the vacancy on that date.

2. The learned Government Pleader submits that petitioner's claim is belated. The approval was granted in the year 2000. There is no point in raising this

complaint after 15 years.

3. The petitioner already approached the Government by way of P4 representation. In view of the above, appropriate decision shall be taken by the 4th respondent after hearing the petitioner, 4th respondent and all affected parties.

The writ petition is disposed of as above.

sd/

**A.MUHAMED MUSTAQUE,
JUDGE**

jm/

The words “appropriate decision shall be taken by the 4th respondent” occurring in the 3rd paragraph of the judgment are corrected and substituted as “appropriate decision shall be taken by the 1st respondent” vide order dated 21.8.2015 in I.A.No.11950/2015 in W.P.(C) No.6075/2015

sd/

Registrar (Judicial)