

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

WP(C) .No. 6706 of 2015 (K)

PETITIONER(S) :

BENCY T. PAUL AGED 44 YEARS
WIFE OF JAIMEY, UPPER PRIMARY SCHOOL ASSISTANT
ST.ALOYSIUS HIGH SCHOOL
NORTH PARAVUR (NOW WORKING AS CLUSTER CO-ORDINATOR SPW LOWER
PRIMARY SCHOOL THAIKKATTUKARA, ALUVA) .

BY ADVS.SRI.V.A.MUHAMMED
SRI.V.RAJASEKHARAN NAIR

RESPONDENT(S) :

1. THE STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM-695001.

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS
JAGATHY, THIRUVANANTHAPURAM-695014.

3. THE DEPUTY DIRECTOR OF EDUCATION
ERNAKULAM AT KAKKANAD-682030.

4. THE DISTRICT EDUCATIONAL OFFICER
ALUVA, ERNAKULAM DISTRICT-683101.

5. THE CORPORATE MANAGER
ERNAKULAM- ANGAMALY ARCH DIOCESE SCHOOLS
RENEWAL CENTRE, KALOOR, KOCHI-682017.

R BY GOVERNMENT PLEADER (SR): ADV.SMT. M J RAJASREE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
06-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS:

EXHIBIT-P1: TRUE COPY OF THE ORDER OF THE MANAGER DATED 5.6.2010.

EXHIBIT-P2: TRUE COPY OF THE ORDER OF THE DISTRICT EDUCATIONAL OFFICER DATED 5.3.2013.

EXHIBIT-P3: TRUE COPY OF THE APPOINTMENT ORDER OF SMT.JESSY JOSEPH DATED 5.6.2010.

EXHIBIT-P4: TRUE COPY OF THE ORDER OF THE DISTRICT EDUCATIONAL OFFICER DATED 18.8.2011.

EXHIBIT-P5: TRUE COPY OF THE ORDER OF THE DEPUTY DIRECTOR OF EDUCATION DATED 16.4.2012.

EXHIBIT-P6: TRUE COPY OF THE ORDER OF THE DIRECTOR DATED 25.7.2013.

EXHIBIT-P7: TRUE COPY OF THE REVISION PETITION FILEDF BY THE MANAGER DATED 2.9.2013.

EXHIBIT-P8: TRUE COPY OF THE REPRESENTATION SUBMITTED BEFORE THE GOVERNMENT DATED 2.9.2013.

EXHIBIT-P9: TRUE COPY OF THE JUDGMENT IN W.P.(C) NO.22712/2013 DATED 11.09.2013.

EXHIBIT-P10: TRUE COPY OF THE HEARING NOTE.

EXHIBIT-P11: TRUE COPY OF THE G.O.(RT.) NO.5656/2014/G.EDN.DATED 22.12.2014 OF THE GOVERNMENT.

EXHIBIT-P12: TRUE COPY OF THE PROCEEDINGS ORDER OF THE MANAGER DATED 05.01.2015.

RESPONDENT(S) ' EXHIBITS:NIL

True Copy/

P A to Judge

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.6706 of 2015
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Dated this the 06th day of April, 2015

JUDGMENT

Petitioner submits that as per Government order produced as Ext.P11, she is ordered to be accommodated as a regular post UPSA under the 5th respondent management. Petitioner submits that the above Government order has not been implemented and it appears that District Educational Officer has made a request to the Government to reconsider the matter. Petitioner submits that she shall also be heard if Government reconsidering the matter based on the request made by the DEO. Petitioner already approached the Government by such request produced as Ext.P13.

2. In that view of the matter, before taking final decision in the matter, petitioner may also be heard in the matter. If DEO's request is pending, necessarily such decision shall be taken within a period of two months from the date of receipt of a copy of this Writ Petition after affording an opportunity of hearing to the petitioner.

The Writ Petition is disposed of.

Sd/-
A.MUHAMED MUSTAQUE, JUDGE.