

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

WP(C).No. 10160 of 2013 (T)

PETITIONER:

**P.R. SIVAPRAKASH, AGED 36 YEARS
S/O.RAJAGOPALAN NAIR , RAJ VIHAR, N.M.ROAD
MANNARKKAD, PALAKKAD DISTRICT
NOW WORKING AS HIGH SCHOOL ASSISTANT (MATHS)
DESABANDHU HIGHER SECONDARY SCHOOL
THACHAMPARA, PALAKKAD DIST**

**BY ADVS.SRI.BENOY THOMAS
SRI.PAULSON THOMAS**

RESPONDENTS:

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY
GENERAL EDUCATION DEPARTMENT
THIRUVANANTHAPURAM, PIN - 695 001.**
- 2. THE DIRECTOR OF HIGH SECONDARY EDUCATION
HOUSING BOARD BUILDING
THIRUVANANTHAPURAM, PIN - 695 001.**
- 3. REGIONAL DIRECTOR
HIGHER SECONDARY EDUCATION, EDAPPALLY
ERNAKULAM, PIN - 682 024.**
- 4. THE MANAGER
DESHABANDHU HIGHER SECONDARY SCHOOL
THACHAMPARA, PALAKKAD - 678 593.**
- 5. AMBIKA C.R., CHEMATH HOUSE, IDUKKI
NOW WORKING AS GUEST TEACHER-ENGLISH
DESHABANDHU HIGHER SECONDARY SCHOOL
THACHAMPARA, PALAKKAD - 678 593.**
- 6. SIBI S. MANAMPOOR, TRIVANDRUM
NOW WORKING AS GUEST TEACHER COMMERCE
DESABANDHU HIGHER SECONDARY SCHOOL
THACHAMPARA, PALAKKAD DISTRICT- 678 593.**

[CONTD.....]

**7. SMT.SMITHA PAYAMKULAM
STAFF SELECTION COMMITTEE MEMBER AS PRINCIPAL
DESABANDHU HIGHER SECONDARY SCHOOL
THACHAMPARA, PALAKKAD DISTRICT- 678 593.**

BY GOVERNMENT PLEADER SMT. M.J. RAJASREE

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:-

- EXHIBIT P1 - COPY OF THE M.A. DEGREE CERTIFICATE OF THE PETITIONER ISSUED BY THE MADURA KAMARAJ UNIVERSITY.
- EXHIBIT P1(A) - COPY OF THE STATEMENT OF MARKS OF M.A DEGREE.
- EXHIBIT P1(B) - COPY OF THE EQUOVALENCY CERTIFICATE ISSUED BY UNIVERSITY OF CALICUT.
- EXHIBIT P2 - COPY OF THE B.ED DEGREE CERTIFICATE ISSUED BY THE MAHATMA GANDHI UNIVERSITY DATED 15-10-1999.
- EXHIBIT P3 - COPY OF THE SENIORITY LIST OF THE HSAS OF THE SCHOOL.
- EXHIBIT P4 - COPY OF THE NOTICE ISSUED BY THE MANAGER IN RESPECT OF PREVIOUS SELECTION DATED 17-11-2011.
- EXHIBIT P5 - COPY OF THE GO(MS) NO. 142/2008/GEN.EDN.DATED 18-08-2008.
- EXHIBIT P6 - COPY OF THE GRADE CARD ISSUED BY IGNOU DATED 07-02-2013 IN RESPECT OF B.ED (ENGLISH) PASSED BY THE PETITIONER.
- EXHIBIT P7 - COPY OF THE ADVERTISEMENT IN JANMABHUMI DAILY DATED 12-02-2013 IN RESPECT OF HSST(JR.) COMMERCE AND ENGLISH.
- EXHIBIT P8 - COPY OF THE APPLICATION OF THE PETITIONER DATED 15-02-2013.
- EXHIBIT P8(A) - COPY OF THE POSTAL ACKNOWLEDGEMENT.
- EXHIBIT P9 - COPY OF THE G.O(MS) NO. 76/2013/GEN.EDN DATED 23-02-2013.
- EXHIBIT P10 - COPY OF THE ADVERTISEMENT IN JANMABHUMI DAILY DATED 01-03-2013 IN RESPECT OF HSST (JR.) COMMERCE AND ENGLISH.
- EXHIBIT P11 - COPY OF THE ADVERTISEMENT IN JANMABHUMI DAILY DATED 17-03-2013 IN RESPECT OF HSST(JR.) COMMERCE.
- EXHIBIT P12 - COPY OF THE RELEVANT PAGES OF THE 4TH RESPONDENT'S SCHOOL STAFF DIRECTORY OF 2012.

[CONTD..]

EXHIBIT P13 - COPY OF THE REPRESENTATION BEFORE THE 3RD
RESPONDENT DATED 20-03-2013.

EXHIBIT P14 - COPY OF THE PROCEEDINGS OF THE DIRECTOR
NO.ACD.A2/53601/HSE/2013 DATED 29-01-2013.

RESPONDENTS' EXHIBITS:- NIL

//TRUE COPY//

P.A. TO JUDGE

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K. VINOD CHANDRAN, J.

W.P(C). No.10160 of 2013

Dated this the 1st day of October, 2015.

JUDGMENT

The petitioner was aggrieved with the denial of promotion to HSST Junior in English. The learned counsel for the petitioner submits that now the petitioner has been promoted to a subsequent post. In such circumstances, the petitioner or the Manager would be entitled to move the appropriate authority for approval.

Leaving open such remedy, the writ petition would stand closed.

Sd/-
K. VINOD CHANDRAN,
JUDGE.

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//True Copy//

P.A. to Judge