

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

WP(C).No. 8975 of 2015 (V)

PETITIONER(S):

1. DIJEESH K. M., ,
H.S.A (MALAYALAM) DESABHANDHU HIGHER SECONDARY SCHOOL,
THACHAMPARA,
PALAKKAD DISTRICT.
2. SINDHU. M.
U.P.S.A, DESABHANDHU HIGHER SECONDARY SCHOOL,
THACHAMPARA,
PALAKKAD DISTRICT.
3. MANJULA T.U.,
U.P.S.A, DESABHANDHU HIGHER SECONDARY SCHOOL,
THACHAMPARA,
PALAKKAD DISTRICT.

BY ADV. DR.GEORGE ABRAHAM

RESPONDENT(S):

1. DISTRICT EDUCATIONAL OFFICER,
MANNARKAD,
PALAKKAD DISTRICT.
2. DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM-695001.
3. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

4. THE MANAGER,
DESABHANDHU HIGHER SECONDARY SCHOOL, THACHAMPARA
PALAKKAD DISTRICT.

R1 to R3 BY (SR) GOVERNMENT PLEADER SRI.M.A.FAYAZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

vmr

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 - TRUE COPY OF THE APPOINTMENT ORDER DATED 02-06-2008 ISSUED TO THE 1ST PETITIONER.
- EXHIBIT P2 - TRUE COPY OF THE APPROVAL ORDER ISSUED TO THE 1ST PETITIONER.
- EXHIBIT P3 - TRUE COPY OF THE APPOINTMENT ORDER ISSUED BY THE CONTROLLING OFFICER TO THE 2ND PETITIONER APPROVING HER APPOINTMENT ON DAILY WAGE BASIS.
- EXHIBIT P4 - TRUE COPY OF THE APPOINTMENT ORDER DATED 01-06-2009 ISSUED TO THE 2ND PETITIONER.
- EXHIBIT P5- TRUE COPY OF THE APPOINTMENT ORDER ISSUED TO THE 3RD RESPONDENT.
- EXHIBIT P6- TRUE COPY OF THE ORDER ISSUED BY THE 1ST RESPONDENT ON 02-05-2013.
- EXHIBIT P7- TRUE COPY OF THE REVISION DATED 10-02-2015 FILED BY THE 1ST PETITIONER CLAIMING THE BENEFITS OF THE SNEHA CHERIAN'S CASE.
- EXHIBIT P8- TRUE COPY OF THE REVISION DATED 07-03-2015 FILED BY THE 2nd PETITIONER CLAIMING THE BENEFITS OF THE SNEHA CHERIAN'S CASE.
- EXHIBIT P9 - TRUE COPY OF THE REVISION DATED 08-03-2015 FILED BY THE 3RD PETITIONER CLAIMING THE BENEFITS OF THE SNEHA CHERIAN'S CASE.
- EXHIBIT P10- TRUE COPY OF THE JUDGMENT PASSED BY THIS HON'BLE COURT IN WPC NO 29999/2014.
- EXHIBIT P11 - TRUE COPY OF ORDER DATED 02-05-2014 ISSUED BY THE GOVERNMENT IN TUNE WITH THE DIRECTION OF THIS HON'BLE COURT.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A.TO JUDGE

A. MUHAMED MUSTAQUE, J.

= = = = =

W.P.(C) No.8975 of 2015

= = = = =

Dated this the 20th day of March, 2015

JUDGMENT

Petitioners have approached the Government by Exts.P7, P8 and P9 revisions challenging Exts.P1, P3 and P5. The petitioners' grievance is against approval on daily wages. The petitioners' case is that they are entitled to the benefits as per the decision of the Apex Court in **State of Kerala v. Sneha Cherian** (2013(1) KLT 755).

2. It is submitted that certain other teachers of the same school have approached this Court seeking for directions to grant the benefits as in **Sneha Cherian's** case. This Court, in the Writ Petition filed by them, has directed the 3rd respondent to consider the case of the petitioners therein. It is submitted that the revisions filed by them are also pending before the Government.

3. In the facts and circumstances, I am of the view that, if revisions of the teachers of the same school have not been disposed of, these revisions can also be taken along with those revisions and dispose of the same, after hearing the petitioners.

4. If there is no sufficient time to issue notice to the petitioners, along with the other matters, these matters can independently be taken by the 1st respondent and dispose of the same within two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of.

A. MUHAMED MUSTAQUE, JUDGE

sj