

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. 9018 of 2015 (B)

PETITIONER(S) :

1. K.J.SINDHUMOLE, AGED 38 YEARS
WIFE OF JAYAKUMAR, FULL-TIME JUNIOR HINDI TEACHER
K.V.UPPER PRIMARY SCHOOL, ELAMGULAM, P.O.KOORALI
KOTTAYAM DISTRICT - 686 522.
2. P. PRATHEESH
FULL-TIME JUNIOR SANSKRIT TEACHER
K.V.UPPER PRIMARY SCHOOL, ELAMGULAM, P.O.KOORALI
KOTTAYAM DISTRICT - 686 522.
3. G. MANOJ
PEON, K.V.UPPER PRIMARY SCHOOL, ELAMGULAM
P.O.KOORALI, KOTTAYAM DISTRICT - 686 522.

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 - 695 001.
2. THE DIRECTOR OF PUBLIC INSTRUCTIONS
JAGATHY, THIRUVANANTHAPURAM - 695 014.
3. THE DEPUTY DIRECTOR OF EDUCATION
KOTTAYAM DISTRICT - 686 001.
4. THE DISTRICT EDUCATIONAL OFFICER
KANJIRAPPALLY, KOTTAYAM DISTRICT - 686 507.
5. THE ASSISTANT EDUCATIONAL OFFICER
KANJIRAPPALLY, KOTTAYAM DISTRICT - 686 507.
6. THE MANAGER
K.V.UPPER PRIMARY SCHOOL, ELAMGULAM, P.O.KOORALI
KOTTAYAM DISTRICT - 686 522.

R1 TO R5 BY SR. GOVT. PLEADER SRI. V. VIJULAL

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

APPENDIX

PETITIONERS' EXHIBITS :

- EXT.P1: TRUE COPY OF THE APPOINTMENT ORDER OF THE 1ST PETITIONER DATED 06/06/2006 AND APPROVAL THEREOF.
- EXT.P1(a): TRUE COPY OF THE ORDER OF THE ASSISTANT EDUCATIONAL OFFICER DATED 30/12/2011.
- EXT.P2: TRUE COPY OF THE APPOINTMENT ORDER OF THE 2ND PETITIONER DATED 04/06/2007 AND APPROVAL THEREOF.
- EXT.P2(a): TRUE COPY OF THE ORDER OF THE ASSISTANT EDUCATIONAL OFFICER DATED 17/07/2012.
- EXT.P3: TRUE COPY OF THE APPOINTMENT ORDER OF THE 3RD PETITIONER DATED 02/05/2007 AND APPROVAL THEREOF.
- EXT.P4: TRUE COPY OF THE STAFF FIXATION ORDER 2010- 2011 DATED 17/08/2010 OF THE 5TH RESPONDENT.
- EXT.P4(a): TRUE COPY OF THE CIRCULAR OF THE GOVERNMENT DATED 30/07/2013.
- EXT.P5: TRUE COPY OF THE LETTER NO. H7/13400/2013 OF THE DEPUTY DIRECTOR DATED 17/10/2013.
- EXT.P6: TRUE COPY OF THE GO (MS) NO. 302/2002/G.EDN DATED 10/10/2002 OF THE GOVERNMENT.
- EXT.P7: TRUE COPY OF THE JUDGMENT IN WPC 29774/2013-V DATED 03/03/2014.
- EXT.P8: TRUE COPY OF THE ORDER NO. F5/46616/2013/DPI DATED 12/06/2014 OF THE 2ND RESPONDENT.
- EXT.P9: TRUE COPY OF THE REVISION PETITION FILED BEFORE THE GOVERNMENT DATED 10/03/2015.
- EXT.P10: TRUE COPY OF THE GO(MS)NO. 47/2010/G.EDN. DATED 29/03/2010 OF THE GOVERNMENT.
- EXT.P11: TRUE COPY OF THE NOTICE ISSUED BY THE GOVERNMENT DATED 06/03/2014.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

A. MUHAMED MUSTAQUE, J.

= = = = =

W.P.(C) No.9018 of 2015

= = = = =

Dated this the 20th day of March, 2015

JUDGMENT

Petitioners were the teachers and non-teaching staff of K.V.U.P school, Elamgulam in Kottayam district. The school was closed down from 2013 onwards. The petitioners have approached the Government by filing Ext.P9 revision petition requesting to grant protection under the provisions of G.O(Ms.) No.302/2002/G.Edn and to deploy them in some other schools. The short prayer of the petitioner is for an early disposal of Ext.P9.

2. In the facts and circumstances, there shall be a direction to the 1st respondent to consider and pass appropriate orders on Ext.P9, after affording an opportunity of hearing to the petitioners, within three months from the date of receipt of a copy of the judgment.

The writ petition is disposed of.

A. MUHAMED MUSTAQUE, JUDGE

sj