

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 26TH DAY OF MARCH 2015/5TH CHAITHRA, 1937

WP(C).No.9760 of 2015 (T)

PETITIONER:

**T.M THANKAMANI,HEADMISTRESS (RTD),
BHAGAVATHY VILASAM ALP SCHOOL,
MANIYOOR,CHEKKIKULAM.P.O.,
KANNUR DISTRICT-670 592.**

BY ADV.SRI.P.M.PAREETH

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
- 2. DIRECTOR OF PUBLIC INSTRUCTION,
JAGATHY,THIRUVANANTHAPURAM-695 014.**
- 3. DEPUTY DIRECTOR OF EDUCATION,
KANNUR-1,670 001.**
- 4. ASSISTANT EDUCATIONAL OFFICER,
TALIPARAMBA SOUTH,KANNUR DISTRICT-670 141.**

R1 TO R4 BY SENIOR GOVT. PLEADER SRI.V.VIJULAL

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P1-A TRUE PHOTOCOPY OF THE PAY FIXATION STATEMENT
DATED 22.9.2006.**

**EXT.P2-A TRUE PHOTOCOPY OF THE AUDIT OBJECTION DATED 9.11.2010
ISSUED BY THE THIRD RESPONDENT.**

**EXT.P3-A TRUE PHOTOCOPY OF THE CIRCULAR NO.68/08/(117)/FIN
DATED 3.11.2008.**

**EXT.P4-A TRUE PHOTOCOPY OF THE LETTER DATED 22.1.11 ISSUED BY THE
3RD RESPONDENT TO THE 4TH RESPONDENT.**

**EXT.P5-A TRUE PHOTOCOPY OF THE ORDER DATED 7.7.2011 ISSUED BY THE
2ND RESPONDENT.**

**EXT.P6-A TRUE PHOTOCOPY OF THE APPEAL DATED 23.8.2011 SUBMITTED
BEFORE THE 1ST RESPONDENT.**

EXT.P7-A TRUE PHOTOCOPY OF THE G.O.(P)NO.290/14/(197)/FIN DATED 16.7.14.

EXT.P8-A TRUE PHOTOCOPY OF THE REPRESENTATION DATED 20.8.14.

**EXT.P9-A TRUE PHOTOCOPY OF THE GOVERNMENT LETTER
NO.64511/P3/2011/G.EDN DATED 1.12.14.**

**EXT.P10-A TRUE PHOTOCOPY OF THE REVIEW PETITION DATED 29.12.14
SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.**

RESPONDENT'S EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

pk

A. MUHAMED MUSTAQUE, J.

W.P.(C) No.9760 of 2015

Dated this the 26th day of March, 2015

JUDGMENT

The petitioner retired from service on attaining the age of superannuation as Headmistress of Bhagavathy Vilasam ALP School, Maniyoor on 31.03.2011. The petitioner's grievance is that due to an audit objection, her pay was scaled down, resulting in heavy monetary loss to her. The petitioner submits that her appeal has been rejected by Exts.P4 and P5. Petitioner now relies on Ext.P7 Government Order dated 16.07.2014, granting liberty to the Primary/Secondary School Headmasters to exercise option when moved to Senior Grade/Selection Grade scale. The petitioner submits that she is also entitled for the benefit of Ext.P7 and rejection order has to be re-considered in the light of Ext.P7. She has highlighted her grievance by Ext.P10 review petition. The only request made before this Court is for an early disposal of Ext.P10, in the light of Ext.P7 Government Order.

2. It is for the Government to decide whether Ext.P7 would apply to the petitioner's case as well.

3. Without expressing anything on merit, there shall be a direction to the 1st Respondent to consider and pass orders on Ext.P10, after affording an opportunity of hearing to the petitioner, within a period of four months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE,
JUDGE.

//true copy//

P.S. to Judge

st/-