

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

TUESDAY, THE 4TH DAY OF AUGUST 2015/13TH SRAVANA, 1937

WP(C).No. 15356 of 2009 (L)

PETITIONER:

**E.JANARDHANAN, PEON,
C.K.G.MEMORIAL HIGH SCHOOL,
CHINGAPURAM.**

BY ADV. SRI.M.VIJAYAKUMAR

RESPONDENTS:

- 1. DISTRICT EDUCATIONAL OFFICER,
VATAKARA, KOZHIKODE DISTRICT.**
- 2. MANAGER, C.K.G.MEMORIAL HIGH SCHOOL,
CHINGAPURAM.**

BY GOVERNMENT PLEADER: SRI. K.K. SAIDALAVI

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 15356 of 2009 (L)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXHIBIT P1: COPY OF THE ORDER G.O.(Rt)NO.1994/2000/G.EDN. DATED 19.05.2000.

**EXHIBIT P2: COPY OF THE REPRESENTATION FILED BY THE PETITIONER TO THE
MANAGER.**

RESPONDENT(S)' EXHIBITS: NIL

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PA TO JUDGE

skr

SHAJI P CHALY, J

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W.P.(C).No.15356 of 2009

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Dated this the 4th day of August, 2015

JUDGMENT

The petitioner has approached this court seeking to issue a writ of mandamus directing the 2nd respondent to appoint the petitioner as Craft teacher in the school and for other related reliefs. It was contended by the the learned counsel for the petitioner that earlier she had worked as Craft teacher in the school. The service of the petitioner was also approved and therefore the non appointment of the petitioner as a Craft teacher in the 2nd respondent's school is against the provisions of the Kerala Education Act and Rules. It was also contended that the manager makes appointment in the school ignoring the statutory claims of the petitioner which has caused considerable hardship and difficulties to the petitioner. The learned counsel also contended that when a vacancy arose in 2010 in the post of Craft teacher, he has submitted Ext.P2 representation

seeking appointment as a Craft teacher, but no action was taken which necessitated the filing of the writ petition.

2. Heard the learned counsel for the petitioner and the learned Government Pleader.

3. Learned counsel for the petitioner contended that even though petitioner has lost employment as a Craft teacher he was continuing in the school as a menial. If the petitioner was retaining any claim as provided under the Kerala Education Act and Rules, he was entitled to be considered in accordance with the provisions contained in the said Act and Rules. Anyhow, petitioner has submitted Ext.P2 representation, according to the counsel which remains not considered even today and therefore the petitioner would be satisfied if a direction to the 2nd respondent manager is issued to consider Ext.P2 representation submitted by the petitioner . I found the submissions made by the learned counsel a reasonable and

therefore there will be a direction to the 2nd respondent to consider Ext.P2 and orders shall be passed taking into account any claims for which petitioner was entitled to under the Kerala Education Act and Rules and also taking into account any other enabling Government Orders. The same shall be done within a period of two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-
SHAJI P. CHALY
JUDGE