

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

WP(C).No. 11255 of 2015 (F)

PETITIONER(S):

1. ABDUL SALAM KANNADAN AGED 29 YEARS
S/O.KUNHIMOIDEEN KANNADAN
HIGH SCHOOL ASSISTANT(ENGLISH)
V.V.M. HIGHER SECONDARY SCHOOL, MARAKKARA
TIRUR EDUCATIONAL DISTRICT, MALAPPURAM.

2. P.SAJID
HIGH SCHOOL ASSISTANT (PHYSICAL SCIENCE)
V.V.M. HIGHER SECONDARY SCHOOL, MARAKKARA
TIRUR EDUCATIONAL DISTRICT, MALAPPURAM.

3. SHEEMA PANAT
HIGH SCHOOL ASSISTANT (HINDI)
V.V.M. HIGHER SECONDARY SCHOOL, MARAKKARA
TIRUR EDUCATIONAL DISTRICT, MALAPPURAM.

BY ADVS.SRI.V.A.MUHAMMED
SRI.M.SAJJAD

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
DOWN HILL, MALAPPURAM DISTRICT - 576 519.

4. THE DISTRICT EDUCATIONAL OFFICER
TIRUR, MALAPPURAM DISTRICT - 676 101.

5. THE MANAGER
V.V.M. HIGHER SECONDARY SCHOOL, MARAKKARA
TIRUR EDUCATIONAL DISTRICTMALAPPURAM DISTRICT - 676 553.

R BY GOVERNMENT PLEADER (SR): ADV.SRI. M A FAYAZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
07-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXT.P-1: TRUE COPY OF THE APPOINTMENT ORDER DATED 1.7.2009 OF THE
1ST PETITIONER

EXT.P-2: TRUE COPY OF THE APPOINTMENT ORDER DATED 1.7.2009 OF THE
2ND PETITIONER

EXT.P-3: TRUE COPY OF THE APPOINTMENT ORDER DATED 1.7.2009 OF THE
3RD PETITIONER

EXT.P-4: TRUE COPY OF THE REVISION PETITION DATED 10.1.2015 OF THE
1ST PETITIONER

EXT.P-5: TRUE COPY OF THE REVISION PETITION DATED 10.1.2015 OF THE
2ND PETITIONER

EXT.P-6: TRUE COPY OF THE REVISION PETITION DATED 10.1.2015 OF THE
3RD PETITIONER

RESPONDENT(S) ' EXHIBITS:NIL

True Copy/

P A to Judge

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.11255 of 2015
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Dated this the 07th day of April, 2015

JUDGMENT

Petitioners were appointed as H.S.A in an aided school against additional vacancies. However, approval from 15.07.2009 to 31.03.2010 was given only on daily wage basis and from 01.06.2010 onwards scale of pay basis. Petitioners rely on the judgment of the Supreme Court in **State of Kerala Vs. Sneha Cherian (2013(1) KLT 755)** and submits that petitioners are entitled to regular scale of pay with effect from the date of appointment.

2. In the light of **State of Kerala Vs. Sneha Cherian's case** referred supra, appointment of the petitioners shall be on regular scale of pay with effect from the date of appointment. Petitioners shall be given entire arrears of salary with effect from the date of appointment within a period of three months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.