

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. 11314 of 2015 (L)

PETITIONER(S):

P U RAMADAS, AGED 28 YEARS
SON OF UNNIKRIISHNAN NAMBOODIRI, JUNIOR SANSKRIT TEACHER (PART
-TIME), R.P.M.M.U.P.SCHOOL, EDAKKAZHIYUR, THRISSUR DISTRICT

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 INSTRUCTION JAGATHY
THIRUVANANTHAPURAM - 695 014.

3. THE DEPUTY DIRECTOR OF EDUCATION
THRISSUR AT AYYANTHOLE 680 003.

4. THE DISTRICT EDUCATIONAL OFFICER
CHAVAKKAD, THRISSUR DISTRICT 680 506.

5. THE ASSISTANT EDUCATIONAL OFFICER
CHAVAKKAD, THRISSUR DISTRICT 680 506.

6. THE MANAGER,
R.P.M.M.U.P.SCHOOL, EDAKKAZHIYUR, VIA CHAVAKKAD
THRISSUR DISTRICT- 680 515.

R BY GOVERNMENT PLEADER (SR): ADV.SRI.V. VIJULAL

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 P1-TRUE COPY OF THE APPOINTMENT ORDER DATED 22.6.2011 OF THE PETITIONER

EXT P2- TRUE COPY OF THE ORDER NO.C.2017/11/K/DIS DATED 14.6.12 ISSUED BY TEH ASST.EDL.OFFICER

EXT P3- TRUE COPY OF THE ORDER NO.B1-6317/12/K.DIS DATED 5.10.12 OF THE DIST .EDL.OFFICER

EXT P4- TRUE COPY OF THE APPOINTMENT ORDER DATED 1.10.2011 OF THE PETITIONER

EXT P5- TRUE COPY OF HTE ORDER NO.F2-85277/2014/D.P.I/K.DIS DATED 28.1.2015 ISSUED BY THE DIRECTOR

EXT P6- TRUE COPY OF THE REVISION PETITION DATED 18.3.2015 BEFORE THE 1ST RESPONDENT WITHOUT ANNEXURE

EXT P7- TRUE COPY OF THE STAY PETITION DATED 18.3.2015 FILED ALONG WITH EXT.P6

RESPONDENT(S) ' EXHIBITS:NIL

True Copy/

P A to Judge

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.11314 of 2015
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Dated this the 07th day of April, 2015

JUDGMENT

Petitioner approached the Government by Ext.P6 revision challenging Ext.P5 order passed by the Director of Higher Secondary Education. Petitioner claims that he is also entitled for approval with effect from the date of appointment. In Ext.P5, there was also a direction to recover the excess salary paid to the petitioner as petitioner was only eligible for approval on daily wages.

2. In view of pendency of Ext.P6 before the Government, there shall be a direction to the first respondent to consider Ext.P6 after affording an opportunity of hearing to the petitioner and management concerned within a period of four months from the date of receipt of a copy of this judgment. Till such decision is taken in the matter, entire recovery pursuant to Ext.P5 shall be kept in abeyance.

The Writ Petition is disposed of. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

Sbna/07/04/15