

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

WP(C).No. 11583 of 2015 (W)

PETITIONER(S):

AMMINI.A.N. AGED 58 YEARS
W/O.LATE VASUDEVAN, ANTHAPILLI HOUSE
THOTTAKKATTU KARA P.O.ALUVA, ERNAKULAM DISTRICT.

BY ADV. SRI.V.MAHENDRANATH

RESPONDENT(S):

1. THE CENTRAL BOARD OF SECONDARY EDUCATION (CBSE)
REGIONAL OFFICE, THIRUVANANTHAPURAM, BLOCK B
2ND FLOR, LIC DIVISIONAL OFFICE COMPOUND, PATTAM
THIRUVANANTHAPURAM-695 004
REPRESENTED BY ITS REGIONAL OFFICER.

2. RAJASREE SMM SCHOOL
EAST KADUNGALLOOR, U.C.COLLEGE P.O., ALUVA
ERNAKULAM DISTRICT, REPRESENTED BY ITS MANAGER

3. THE PRINCIPAL
RAJASREE SMM SCHOOLEAST KADUNGALLOOR
U.C.COLLEGE P.O., ALUVA, ERNAKULAM DISTRICT.

R BY SRI.DEVAN RAMACHANDRAN, SC, CBSE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
08-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 11583 of 2015 (W)

APPENDIX

PETITIONER(S) ' EXHIBITS

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- EXT.P1. TRUE COPY OF THE RECEIPT SHOWING CONTRIBUTION TO EMPLOYEES PROVIDENT FUND SCHEME WITH RESPECT TO THE PETITIONER FOR THE YEAR 2000 -001.
 - EXT.P2. TRUE COPY OF THE RECEIPT SHOWING CONTRIBUTION TO EMPLOYEES PROVIDENT FUND SCHEME WITH RESPECT TO THE PETITIONER FOR THE YEAR 2009- 2010.
 - EXT.P3. TRUE COPY OF THE SALARY SLIP OF THE PETITIONER DURING 2010-2011.

RESPONDENT(S) ' EXHIBITS : NIL

ms

\\TRUE COPY//

P.S to Judge

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.11583/2015**  
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Dated this the 8th Day of April, 2015

J U D G M E N T

The petitioner has approached this Court seeking for the following reliefs:

“i. Issue a writ of mandamus or any other appropriate writ, order or direction to the respondents 1 to 3 to permit her to work as an attendant in the 2nd respondent-school and to sign the attendance register and to disburse salary and other benefits including arrears to the petitioner.

ii. Declare that the disciplinary proceedings can be initiated against the petitioner by respondents 2 and 3 only in accordance with the relevant clauses in the affiliation byelaws of the Central Board of Secondary Education, in case respondents 2 and 3 intend to take any disciplinary action against the petitioner.

iii. Issue a writ of mandamus, order or direction to the respondents to ensure that

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the petitioner's service as an attendant in the 2nd respondent school cannot be terminated and disciplinary action cannot be taken against the petitioner otherwise than in accordance with the relevant clauses of the CBSE byelaws."

2. The petitioner is free to take up the matter with the first respondent and if any such representation is made by the petitioner that shall be considered without any delay by the first respondent. If the petitioner is not terminated from service of respondents 2 and 3, she shall not be terminated till a decision is taken by the first respondent. The petitioner has to make a representation before the first respondent within a period of one week from the date of receipt of a copy of this judgment. On receipt of such representation, a decision shall be taken by the first respondent within a period of two months after hearing the petitioner and respondents 2 and 3.

The writ petition is disposed of as above. No costs.

SD/-

A.MUHAMED MUSTAQUE, JUDGE

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