

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. 11658 of 2015 (F)

PETITIONER:

JAYAKUMAR V.K., AGED 39 YEARS
FULL TIME MENIAL, PULIYAPARAMBA HIGH SCHOOL
KODUNTHIRAPPULLY P.O, PALAKKAD DISTRICT.

BY ADVS.SRI.SAJAN VARGHEESE K.
SRI.LIJU. M.P

RESPONDENTS:

1. THE STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT, GENERAL EDUCATION
DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANDAPURAM
- 695001.
2. THE DEPUTY DIRECTOR OF EDUCATION, DEPARTMENT OF EDUCATION
PALAKKAD - 678001.
3. THE DISTRICT EDUCATIONAL OFFICER, PALAKKAD- 678001.
4. THE MANAGER, PULIYAPARAMBA HIGH SCHOOL, KODUNTHIRAPPULLY P.O
PALAKKAD DISTRICT - 678 509.
5. SMT. SEENATH M, FULL TIME MENIAL, PULIYAPARAMBA HIGH SCHOOL,
KODUNTHIRAPPULLY P.O, PALAKKAD DISTRICT - 678 509.

R BY SENIOR GOVERNMENT PLEADER SRI. V.A. VIJULAL

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

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT P1: TRUE COPY OF THE APPOINTMENT ORDER OF MUBARACK K.P.

EXHIBIT P2: TRUE COPY OF THE APPOINTMENT ORDER DATED 11.3.2012.

EXHIBIT P3: TRUE COPY OF THE APPOINTMENT ORDER OF SRI. ABDUL RASHEED A.

EXHIBIT P4: TRUE COPY OF THE APPOINTMENT ORDER OF THE RESPONDENT NO.5.

EXHIBIT P5: TRUE COPY OF G.O.(RT) NO.391/2006/G.EDN. DATED 25.1.2006.

EXHIBIT P6: TRUE COPY OF THE APPOINTMENT ORDER DATED 6.6.2006 OF THE RESPONDENT NO.5.

EXHIBIT P7: TRUE COPY OF THE COMMUNICATION DATED 16.7.2010 ISSUED BY THE RESPONDENT NO.3 TO THE RESPONDENT NO.4.

EXHIBIT P8: TRUE COPY OF THE REPLY DATED 17.1.2011 MADE BY THE RESPONDENT NO.4 TO THE RESPONDENT NO.3 IN REPLY TO EXT. P7.

EXHIBIT P9: TRUE COPY OF THE COMMUNICATION DATED 21.3.2011 MADE BY THE RESPONDENT O.3 TO THE HEADMASTER OF THE SCHOOL.

EXHIBIT P10: TRUE COPY OF THE REPLY TO EXT. P9 MADE BY THE HEADMASTER.

EXHIBIT P11: TRUE COPY OF THE REPRESENTATION DATED 18.10.2014 SUBMITTED BY THE RESPONDENT NO.5 TO THE RESPONDENT NO.1.

EXHIBIT P12: TRUE COPY OF THE HEARING NOTICE DATED 16.3.2015 ISSUED BY THE RESPONDENT NO.2.

EXHIBIT P13: TRUE COPY OF THE REVISION PETITION DATED 25.3.2015 SUBMITTED BEFORE THE RESPONDENT NO.1.

RESPONDENT'S EXHIBITS: NIL

TRUE COPY

PA TO JUDGE

Scl.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.11658 of 2015

Dated this the 8th day of April, 2015.

JUDGMENT

The petitioner, a Full Time Menial in Puliaparamba High School, has approached the Government by Ext.P13 revision petition. The matter relates to the approval of appointment of Full Time Menial regarding petitioner and fifth respondent. The petitioner submitted that fifth respondent also approached the first respondent and thereafter, the same was forwarded to the second respondent and the second respondent now proposed to hold a hearing on 4.4.2015 pursuant to notice issued as Ext.P12. It is further submitted that no proceedings have been concluded pursuant to Ext.P12. The petitioner submits that if Ext.P13 may be taken by the first respondent and till the decision is taken in the matter, all the proceedings pursuant to Ext.P12 shall be kept in abeyance.

In that view of the matter, the writ petition is disposed of directing the first respondent to consider Ext.P13 after hearing the petitioner and respondents 4 and 5 and if no decision is taken in the matter by 2nd respondent pursuant to Ext.P12, all further

proceedings pursuant to Ext.P12 shall be kept deferred till the decision is taken in Ext.P13 by the first respondent. Needful shall be done by the first respondent within a period of four months after affording an opportunity of hearing the petitioner and respondents 4 and 5.

Sd/-
A.MUHAMED MUSTAQUE
JUDGE

Scl.