

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

WP(C).No. 11807 of 2015 (A)

PETITIONER(S):

1. ANITHA C AGED 30 YEARS
LOWER PRIMRY SCHOOL ASSISTANT (LPSA)
A.M.LOWER PRIMARY SCHOOL
PUTTANIKKAD (NOW CHANGED AS VIDYODAYAM AIDED LOWER PRIMARY SCHOL
PUTTANIKKAD), KANDAMANGALAM P, MANNARKKAD
PALAKKAD DISRTRICT

2. VIPIN.K
LOWER PRIMRY SCHOOL ASSISTANT (LPSA)
A.M.LOWER PRIMARY SCHOOL
PUTTANIKKAD (NOW CHANGED AS VIDYODAYAM AIDED LOWER PRIMARY SCHOL
PUTTANIKKAD), KANDAMANGALAM P, MANNARKKAD
PALAKKAD DISRTRICT

3. DIVYA.P.M
LOWER PRIMRY SCHOOL ASSISTANT (LPSA)
A.M.LOWER PRIMARY SCHOOL
PUTTANIKKAD (NOW CHANGED AS VIDYODAYAM AIDED LOWER PRIMARY SCHOL
PUTTANIKKAD), KANDAMANGALAM P, MANNARKKAD
PALAKKAD DISRTRICT

BY ADV. DR.GEORGE ABRAHAM

RESPONDENT(S):

1. THE ASSISTANT EDUCATION OFFICER
MANNARKKAD, PALAKKAD DISTRICT 678 583.

2. THE DISTRICT EDUCATIONAL OFFICER,
PALAKKAD678 001

3. THE DEPUTY DIRECTOR OF EDUCATION
PALAKKAD678 001.

4. THE DIRECTOR OF PUBLIC INSTRUCTIONS
THIRUVANANTHAPURAM 695 001.

5. STATE OF KERALA
REP.BY THE SECRETARY TO GOVERNMENT
GENERAL EDUCTION DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM 695 001.

R BY SR.GOVERNMENT PLEADER SHRI M.A.FAYAZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1 COPY OF THE APPOINTMENT ORDER OF THE 1ST PETITIONER DATED
1/8/2006
EXHIBIT P2 COPY OF THE APPOINTMENT ORDER OF THE 2ND PETITIONER DATED
31/7/2006
EXHIBIT P3 COPY OF THE APPOINTMENT ORDER OF THE 3RD PETITIONER DATED
16/7/2007
EXHIBIT P4 COPY OF THE GOVERNMENT ORDER GO(P) 10/10/G.EDN DATED
12/1/2010
EXHIBIT P5 COPY OF THE ORDER OF THE ASSISTANT EDUCATIONAL
OFFICER, MANNARKKAD DATED 21/12/2011
EXHIBIT P6 COPY OF THE ORDER OF THE DEPUTY DIRECTOR OF EDUCATION ,
PALAKKAD AS FAR AS THE 2ND PETITIONER IS CONCERNED, PALAKKAD
9/10/2013
EXHIBIT P7 COPY OF THE GO(RT) NO.2651/2014/GEN.EDN DATED 4/7/2014
EXHIBIT P8 COPY OF THE ORDER PASSED BY AEO DATED 18/12/2014
EXHIBIT P9 COPY OF THE REVISION FILED BY THE 1ST PETITIONER BEFORE THE
DIRECTOR OF PUBLIC INSTRUCTIONS, DATED 23/12/2013
EXHIBIT P10 COPY OF THE REVISION FILED BY THE 2ND PETITIONER BEFORE
THE DIRECTOR OF PUBLIC INSTRUCTIONS DATED 23/12/2013
EXHIBIT P11 COPY OF THE REVISION FILED BY THE 3RD PETITIONER BEFORE
THE DIRECTOR OF PUBLIC INSTRUCTIONS DATED 23/12/2013

RESPONDENT(S) ' EXHIBITS : NIL

ms

\\TRUE COPY//

P.S to Judge

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.11807/2015**  
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Dated this the 9th Day of April, 2015

J U D G M E N T

The petitioners submit that though they were appointed in regular vacancies having duration of more than one year, approval in respect of their initial period of appointments were granted only on daily wage basis and thereafter, on regular basis. Petitioners rely on the judgment of the Hon'ble Supreme Court in **State of Kerala v. Sneha Cheriyan [2013 (1) KLT 755 (SC)]** and submits that they are entitled for approval on regular basis with effect from the date of appointment. The petitioners already moved the Government by Exts.P9 to P11 revision petitions.

2. In that view of the matter, there shall be a direction to the first respondent to consider Exts.P9

W.P.(C).No.11807/2015

-:2:-

to P11 in the light of **Sneha Cheriyan's** case (supra) within a period of three months after affording an opportunity of hearing to the petitioners.

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

SD/-

A.MUHAMED MUSTAQUE, JUDGE

ms

The words “first respondent” occurring in the 2nd line of 2nd paragraph of the judgment are corrected as “fifth respondent”, vide order dated 23/06/2015 in I.A.No.7965/2015 in W.P.(C).No.11807/2015.

Sd/- Registrar (Judicial)