

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE**

**FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937**

**WP(C).No. 12505 of 2015 (K)**  
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**PETITIONER**  
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**HAMSAKOYA PADINJARAYIL AGED 60 YEARS  
HIGH SCHOOL ASSISTANT (ARABIC) (RETIRED)  
ST.THOMAS HIGH SCHOOL, PUNNAKODE  
P.O. POOYAPPALLY, KOLLAM DISTRICT (RESIDING AT MUBARAK MANZIL)  
MEEYAYANNA, AMBALAMKUNNU, KOLLAM DISTRICT.**

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

**RESPONDENTS:**  
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- 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  
THEVALLY, KOLLAM DISTRICT - 691 009.**
- 4. THE DISTRICT EDUCATIONAL OFFICER  
KOTTARAKKARA, KOLLAM DISTRICT - 691 506.**
- 5. THE ACCOUNTANT GENERAL (A& E) KERALA  
THIRUVANANTHAPURAM-695 039.**

**BY SR.GOVERNMENT PLEADER SRI.M.A. FAYAZ**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
10-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**jm/**

**APPENDIX**

**PETITIONER'S EXHIBITS:**

- P1: TRUE COPY OF THE OBJECTION OF THE ACCOUNTANT GENERAL DATED 3.8.2013.**
- P2: TRUE COPY OF THE STATEMENT OF FIXATION OF PAY OF THE PETITIONER.**
- P3. TRUE COPY OF THE FORM OF OPTION DATED 1.6.2011.**
- P4: TRUE COPY OF THE REVISION FILED BEFORE THE GOVERNMENT DATED 25.3.2015, WITHOUT ANNEXURE**

**RESPONDENT'S EXHIBITS: NIL**

**\\ TRUE COPY \\**

**PA TO JUDGE**

**jm/**

**A.MUHAMED MUSTAQUE, J.**

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W.P.(C).No.12505 of 2015  
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Dated this the 10<sup>th</sup> day of April, 2015

**J U D G M E N T**  
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The petitioner approached the Government as per Ext.P4 challenging Ext.P1 order of recovery based on audit objection

2. In view of the pendency of Ext.P4, there shall be a direction to the Government to take appropriate decision on Ext.P4 after affording an opportunity of hearing to the petitioner within a period four months from the date of receipt of a copy of this judgment. Till a decision is taken in this matter, recovery against the petitioner shall be suspended.

The writ petition is disposed of as above.

Sd/

**A.MUHAMED MUSTAQUE,  
JUDGE**

jm/