

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.T.RAVIKUMAR

TUESDAY, THE 21ST DAY OF APRIL 2015/1ST VAISAKHA, 1937

WP(C).No. 12689 of 2015 (I)

PETITIONER(S):

C.P.LILLY,
HIGH SCHOOL ASSISTANT (MALAYALAM) ST.MARY'S
HIGH SCHOOL VYNTHALA.

BY ADVS.SRI.V.N.MOHANADASAN
SRI.P.JAYAKUMAR

RESPONDENT(S):

1. STATE OF KERALA
REPRESENTED BY SECRETARY
DEPARTMENT OF GENERAL EDUCATION, GOVT.OF KERALA
THIRUVANANTHAPURAM, PIN-695001.
2. THE DEPUTY DIRECTOR
DEPT. OF GENERAL EDUCATION, THRISSUR 680 001
3. THE DISTRICT EDUCATIONAL OFFICER
IRINJALAKKUDA. 680 121.

BY GOVERNMENT PLEADER SRI.M.A.FAYAZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 - TRUE COPY OF ORDER OF R1 DATED NIL.

EXT.P2 -TRUE COPY OF REPRESENTATION BY THE PETITIONER DATED
16.12.2013

EXT.P3 - TRUE COPY OF ORDER REJECTING EXHIBIT P2, DATED 21.06.2014

EXT.P4 - TRUE COPY OF APPEAL BEFORE R1 DATED 06.08.2014

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.A. TO JUDGE

dlk

C.T.RAVIKUMAR, J

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Dated this the 21st day of April, 2015

JUDGMENT

The petitioner is working as a High School Assistant in St.Mary's High School, Vynthala which is an aided school. The petitioner availed Half Pay Leave. Subsequently, the second respondent issued Ext.P1 order requiring the petitioner to re-fund the salary on the ground that the petitioner was ineligible to avail Half Pay Leave. The petitioner filed Ext.P2 representation to regularise the service. The same was rejected as per Ext.P3. Aggrieved Ext.P3 the petitioner preferred Ext.P4 appeal before the first respondent.

Having heard the learned counsel for the petitioner and the learned Government Pleader and taking into consideration the fact that Ext.P4 appeal is pending before the first respondent without making any observation as to the merit of the contentions raised by the petitioner in this petition as in Ext.P4 appeal this writ petition is disposed of with as direction to the first respondent to consider Ext.P4 and pass

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appropriate orders, in accordance with law. It shall be done expeditiously and at any rate, within a period of three months from the date of receipt of a copy of this judgment.

Sd/-

C.T.RAVIKUMAR, JUDGE

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