

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 4TH DAY OF FEBRUARY 2015/15TH MAGHA, 1936

WP(C).No. 13024 of 2014 (C)

PETITIONER(S) :

GEETHA K.A.
KUTTAMPARAMBATH HOUSE, THAMBAMKADAVU P.O.
THALIKULAM-680569.

BY ADVS.SRI.M.R.ANISON
SMT.T.B.REMANI
SMT.K.P.GEETHA MANI
SMT.P.A.RINUSA

RESPONDENT(S) :

1. THE ASSISTANT EDUCATIONAL OFFICER
VALAPPAD-680567.

2. THE MANAGER
AIDED MAPPILA UPPER PRIMARY SCHOOL, THALIKULAM
THALIKULAM P.O., PIN-680569.

3. T.R.ANEESHA
PART TIME SANSKRIT TEACHER
AIDED MAPPILA UPPER PRIMARY SCHOOL, THALIKULAM
THALIKULAM P.O., PIN-680569.

4. I.C.RAMACHANDRAN
UPPER PRIMARY SCHOOL ASSISTANT
AIDED MAPPILA UPPER PRIMARY SCHOOL, THALIKULAM
THALIKULAM P.O., PIN-680569.

* 5. THE DISTRICT EDUCATIONAL OFFICER
CHAVAKKAD, THRISSUR DISTRICT-680 506

(* - ADDL.5TH RESPONDENT IS IMPEADED VIDE ORDER IN I.A.NO.16655 OF
2014 DATED 04.02.2015)

R2 & 4 BY ADV. SRI.RAJIT
R3 BY ADV. SRI.BABU KARUKAPADATH
R3 BY ADV. SMT.M.A.VAHEEDA BABU
R3 BY ADV. SRI.K.A.NOUSHAD
R3 BY ADV. SRI.P.U.VINOD KUMAR
R3 BY ADV. SRI.KANDAMPULLY RAHUL
R3 BY ADV. SRI.MITHUN BABY JOHN
R3 BY ADV. SRI.J.RAMKUMAR
R BY GOVERNMENT PLEADER: SRI S JAMAL SR.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
04-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS:

EXHIBIT P1- TRUE COPY OF THE G.O.(MS)92/88/G.EDN DATED 02-05-1988.

EXHIBIT P2- TRUE COPY OF THE APPOINTMENT ORDER DATED 07-01-1997
ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P3- TRUE COPY OF THE STAFF STATEMENT OF THE SCHOOL AS ON 07-
10-2013 PREPARED BY THE HEADMISTRESS OF THE SCHOOL.

EXHIBIT P4- TRUE COPY OF THE APPOINTMENT ORDER DATED 07-10-2013
ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P5- TRUE COPY OF REPRESENTATION DATED 18-03-2014 SUBMITTED BY
THE PETITIONER BEFORE THE 1ST RESPONDENT.

EXHIBIT P6- TRUE COPY OF THE REPRESENTATION DATED 21-04-2014
SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

EXHIBIT P7- TRUE COPY OF THE ORDER NO.G-1508/2014 DATED 07.07.2014
ISSUED BY the 1st RESPONDENT

EXHIBIT P8- TRUE COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE
THE ADDL.5TH RESPONDENT DATED 22.08.2014

RESPONDENT(S) ' EXHIBITS:

EXHIBIT R3(a): A TRUE COPY OF THE ORDER DATED 07/07/2014 OF THE
ASSISTANT EDUCATIONAL OFFICER, VALAPPAD REJECTING the CLAIM OF the
PETITIONER IN EXTS.P5 AND P6.

True Copy/

P A to Judge

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.13024 of 2014
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Dated this the 04th day of February, 2015

JUDGMENT

Petitioner is Rule 51A claimant in the second respondent school. Petitioner was appointed in a leave vacancy from 07.01.1997 to 25.03.1997 which was approved by the first respondent. However, ignoring petitioner's claim, Manager appointed respondents 3 and 4 in the regular vacancies. When petitioner was appointed in the leave vacancy of the third respondent, she came to know that regular appointments were effected in the second respondent school ignoring her preferential right. Petitioner challenged approval granted to the appointments of respondents 3 and 4 before the District Education Officer by Ext.P8. Only request made by the petitioner is for an early disposal of Ext.P8 by the additional 5th respondent.

2. Considering the facts and circumstances, there shall be a direction to the additional 5th respondent to dispose of Ext.P8 after hearing the petitioner and respondents 2 to 4 within a period of six weeks from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

Sbna/06/02/15