

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE ANIL K.NARENDRA

FRIDAY, THE 24TH DAY OF APRIL 2015/4TH VAISAKHA, 1937

WP(C).No.12877 of 2015 (H)

PETITIONER:

**MOHANAN.M,LAB ASSSITANT,
KANNADI HIGHER SECONDARY SCHOOL,
KANNADI P.O,PALAKKAD DISTRICT,
RESIDING AT KAZHCHAPARAMBU,
KANNADI P.O,PALAKKAD DISTRICT.**

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

RESPONDENT'S:

- 1. THE DIRECTOR OF HIGH SECONDARY EDUCATION,
HOUSING BOARD BUILDINGS,SANTHI NAGAR,
THIRUVANANTHAPURAM-695001.**
- 2. THE REGIONAL DEPUTY DIRECTOR,
DEPARTMENT OF HIGHER SECONDARY EDUCATION,
MALAPPURAM-679001.**
- 3. THE DISTRICT EDUCATIONAL OFFICER,
PALAKKAD-678001.**
- 4. THE MANAGER,KANNADI HIGHER SECONDARY SCHOOL,
KANNADI P.O,PALAKKAD DISTRICT-678509.**

R1 TO R3 BY GOVT. PLEADER SRI.K.C.VINCENT.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER'S EXHIBITS:

**EXHBIIT P1:TRUE COPY OF THE APPOINTMENT ORDER DATED 14-07-1982
ISSUED TO THE PETITIONER.**

EXHBIIT P2:TRUE COPY OF GO(MS) NO.260/99/G.EDN DATED 26-10-1999.

**EXHBIIT P3:TRUE COPY OF THE ORDER OF APPROVAL DATED 16-12-2005
PASSED BY THE RESPONDENT NO.1.**

**EXHIBIT P4:TRUE COPY OF THE REPRESENTATION DATED 11-04-2-015
SUBMITTED BEFORE THE RESPONDENT NO.2 BY THE PETITIONER.**

**EXHBIIT P5:TRUE COPY OF THE POSTAL ACKNOWLEDGEMENT CARD ISSUED
BY THE RESPONDENT NO 2 ON RECEIPT OF EXT-P4.**

**EXHBIIT P6:TRUE COPY OF THE SUBMISSION DATED 11-04-2015 PRESENTED
BEFORE THE RESPONDENT NO.4.**

**EXHBIIT-P7:TRUE COPY OF THE POSTAL ACKNOWLEDGEMENT CARD ISSUED
BY THE RESPONDENT NO.4 ON RECEIPT OF EXT.P6.**

EXHIBIT P8:TRUE COPY OF GO(RT) NO.1656/2007/G.EDN.DATED 13-04-2007.

**EXHBITI P9:TRUE COPY OF THE LETTER NO.H2/28363/10/DPI
DATED 27-07-2009,ISSUED BY THE DIRECTOR OF PUBLIC
INSTRUCTION TO THE DEPUTY DIRECTOR OF EDCUATION,
PALAKKAD**

RESPONDENT'S EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

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ANIL K.NARENDRA, J

W.P.(C)No.12877 Of 2015

DATED THIS THE 24th DAY OF APRIL, 2015

JUDGMENT

The petitioner was appointed to the post of Peon in Kannadi High School, Kannadi, Palakkad. In terms of Ext.P2, the petitioner was promoted to the post of Lab Assistant, but he could not acquire pass in Lab Attenders Test as contemplated in Ext.P2. As such he is to be reverted to the post of Peon. According to the petitioner, the post of clerk in Kannadi High School will become vacant with effect from 1.6.2015, on the retirement of the incumbent. The petitioner would contend that he is entitled to be appointed in the said post and that his right in this regard has been crystalised in Exts.P8 order and P9 letter. The grievance of the petitioner is that, even though he has submitted Ext.P4 representation before the 2nd respondent requesting to pass appropriate orders to revert him to the post of Peon, the same is not disposed of so far. It is in such circumstances, the petitioner has approached this Court in this Writ Petition.

2. Heard the learned counsel for the petitioner and also the

learned Government Pleader appearing for the official respondents.

Considering the fact that Ext.P4 representation is pending consideration before the 2nd respondent, I deem it appropriate to dispose of the writ petition directing the 2nd respondent to consider and pass appropriate orders on Ext.P4 representation, as expeditiously as possible, at any rate within a period of one month from the date of receipt of a certified copy of this judgment, with notice to the petitioner and the 4th respondent Manager.

Sd/-
ANIL K.NARENDRA,
JUDGE

dsn