

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYAISHTA, 1937

WP(C).NO. 13106 OF 2015 (K)

PETITIONER(S):

MANAGER, KALLAMALA A.U.P SCHOOL, AGED 70 YEARS
CHOMBALA, KOZHIKODE

BY ADVS.SRI.JIJI THOMAS
SMT.SMITHA MATHEW
SRI.P.R.ASHOK KUMAR

RESPONDENT(S):

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY
GENERAL EDUCATION DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM-695 303

2. THE DIRECTOR OF PUBLIC INSTRUCTION
THIRUVANANTHAPURAM-695 001

3. THE DISTRICT EDUCATIONAL OFFICER
VADAKARA, KOZHIKODE-673001

4. RANJITH P.K
UPSA, KALLUMALA A.U.P. SCHOOL, CHOBALA
KOZHIKODE 673001

BY GOVERNMENT PLEADER SMT.LOWSY A

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
27-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).NO. 13106 OF 2015 (K)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1- TRUE COPY OF THE APPOINTMENT ORDER DATED 01/06/2011

EXT.P2- A COPY OF THE REJECTION ORDER DATED 23/04/2012 ISSUED BY THE
AEO

EXT.P3- A COPY OF THE REJECTION ORDER DATED 7/08/2012 ISSUED BY THE
3RD RESPONDENT

EXT.P4- A COPY OF THE INTERIM ORDER IN W.A. 812/2015 DATED
9/04/2015

EXT.P5- TRUE COPY OF THE INTERIM ORDER IN W.P.C. NO. 708/2015 DATED
9/01/2015

EXT.P6- A COPY OF THE APPEAL DATED 25/10/2012, SUBMITTED BEFORE THE
2ND RESPONDENT

RESPONDENT(S) ' EXHIBITS:NIL

//TRUE COPY//

P.A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.13106 of 2015

.....
Dated this the 27th day of May, 2015

J U D G M E N T

The petitioner is the Manager of the Kallamala A.U.P.School, Kozhikode. By an order dated 01.06.2011, the petitioner had appointed the 4th respondent as U.P.S.A in the School in a newly created post. When the appointment of the 4th respondent was forwarded to the Assistant Educational Officer for approval, the approval was denied. Against the order of the Assistant Educational Officer denying the approval, the petitioner preferred an appeal before the 3rd respondent who also confirmed the order of the Assistant Educational Officer by rejecting the appeal. Against the order of the 3rd respondent, the petitioner has now preferred Ext.P6 revision petition before the 2nd respondent and the limited prayer of the petitioner in the writ petition is for a direction to the 2nd respondent to consider and pass orders on the revision petition in the light of Ext.P5 order passed by this Court.

2. I have heard the learned counsel for the petitioner as also the learned Government Pleader for the respondents.

On a consideration of the facts and circumstances of the case as also the submissions made across the bar, I dispose the writ

petition with a direction to the 2nd respondent to consider and pass orders on Ext.P6 revision petition, after hearing the petitioner within a period of two months from the date of receipt of a copy of this judgment. While passing orders as directed, the 2nd respondent shall take note of Ext.P5 order of this Court. To enable the respondents to do this, the petitioner shall produce a copy of the writ petition along with a copy of this judgment before the 2nd respondent. Ext.P6 revision petition, produced in the writ petition, and which is seen filed before the 1st respondent, shall be considered as the revision petition to be disposed by the 2nd respondent by passing orders as directed above.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

