

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 21ST DAY OF MAY 2015/31ST VAISAKHA, 1937

WP(C).No. 14932 of 2015 (M)

PETITIONER(S):

**MARIAMMA MATHEW
UPPER PRIMARY SCHOOL ASSISTANT
ST.MARY'S HIGHER SECONDARY SCHOOL, KIZHAKKEKKARA
KOTTARAKKARA, KOLLAM DISTRICT.**

**BY ADVS.SRI.M.V.THAMBAN
SRI.R.REJI
SMT.THARA THAMBAN
SRI.B.BIPIN
SRI.ARUN BOSE**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO THE GOVERNMENT
DEPARTMENT OF GENERAL EDUCATION
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM
PIN-695001.**
- 2. THE DIRECTOR OF PUBLIC INSTRUCTIONS
THIRUVANANTHAPURAM, PIN. 695 001.**
- 3. THE DISTRICT EDUCATIONAL OFFICER
KOTTARAKKARA, KOLLAM DISTRICT, PIN-691 001.**
- 4. THE CORPORATE MANAGER
M.S.C. SCHOOLS, PATTOM, THIRUVANANTHAPURAM
PIN.695002.**

R BY GOVERNMENT PLEADER SMT.LOWSY.A.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 - TRUE COPY OF THE ORDER NO.650/2010 DATED 05.08.2010 OF THE 4TH RESPONDENT

EXT.P2 - TRUE COPY OF THE REPRESENTATION DATED 02.03.2012 BEFORE THE 2ND RESPONDENT

EXT.P3 - TRUE COPY OF THE REPRESENTATION DATED 06.08.2012 BEFORE THE 2ND RESPONDENT

EXT.P4 - TRUE COPY OF THE LETTER DATED ET.1/63587/2012/DPI/K.DIS DATED 28.09.2012

EXT.P5 - TRUE COPY OF THE REPRESENTATION DATED 23.12.2013 BEFORE THE 1ST RESPONDENT

EXT.P6 - TRUE COPY OF THE REPRESENTATION DATED 28.01.2014 BEFORE THE HON'BLE MINISTER FOR EDUCATION.

RESPONDENT(S)' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.14932 OF 2015 (M)

Dated this the 21st day of May, 2015

J U D G M E N T

The petitioner, who is presently working as UPSA in the St.Mary's Higher Secondary School under the management of the 4th respondent, is aggrieved by the inaction on the part of the respondents in approving her appointment as UPSA for the period from 5.7.2010 to 31.5.2011. It is the specific case of the petitioner that by Ext.P4 communication of the 2nd respondent, the District Educational Officer has already informed the Manager to take steps to adjust the lien of the petitioner for the aforementioned period in any of the schools under the management of the 4th respondent. The petitioner has also approached the 1st respondent through Ext.P5 representation seeking a redressal of her grievance. The limited prayer of the petitioner in the writ petition is for a direction to the 1st respondent to consider and pass orders on Ext.P5 representation in the light of Ext.P4 communication of the 2nd respondent.

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 1st respondent to consider and pass orders on Ext.P5 representation within a period of one month from the date of receipt of a copy of this judgment, after hearing the petitioner. The 1st respondent, while passing orders on Ext.P5 representation, shall take note of Ext.P4 communication of the 2nd respondent. The petitioner shall produce a copy of the writ petition, along with a copy of this judgment, before the 1st respondent for further action.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp