

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

WP(C).No. 15204 of 2015 (A)

PETITIONER(S):

**ABDUL WAHID KUTTY, AGED 55 YEARS,
S/O.HANEEFA KUNJU, H.S.A (ARABIC) M.G.D.H.S FOR BOYS,
KUNDARA, KOLLAM DISTRICT RESIDING AT NEJIYA MANZIL,
PERUMPUZHA P.O., KOLLAM.**

**BY ADVS.SRI.PRATHEESH.P
SMT.S.SEETHA
SMT.NIMA JACOB**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM 695 001.**
- 2. THE DIRECTOR OF PUBLIC INSTRUCTION,
DIRECTORATE OF PUBLIC INSTRUCTIONS (DPI), JAGATHI
THIRUVANANTHAPURAM - 695 014.**
- 3. DISTRICT EDUCATIONAL OFFICER,
CIVIL STATION, KOLLAM - 691 013.**
- 4. THE HEAD MASTER,
M.G.D BOYS HIGH SCHOOL, KUNDARA, KOLLAM.**

R BY GOVERNMENT PLEADER SMT.M.J.RAJASREE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
02-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 15204 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: THE COPY OF THE NOTICE DATED 13/12/2012 ISSUED BY THE 1ST
RESPONDENT TO THE PETITIONER TO APPEAR FOR HEARING.**

**EXT.P2: THE COPY OF THE LETTER DATED 23/4/2013 ISSUED BY THE 1ST
RESPONDENT TO THE 2ND RESPONDENT.**

RESPONDENT(S)' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.15204 OF 2015 (A)

Dated this the 2nd day of June, 2015

J U D G M E N T

The petitioner, who is working as HSA (Arabic) in the M.G.D.H.S. for Boys, Kundara, Kollam, had approached the respondents for approving the appointment of the petitioner as HSA with effect from 1.6.1985 to 14.7.1986 and to release the salary and other service benefits that were due and payable to him. The petitioner also sought for a reckoning of the broken period of service rendered as a Part Time LG (Arabic) teacher from 14.9.1981 to 31.3.1982 in accordance with the provisions of Rule 61(4) of Chapter XIV of the Kerala Education Rules. It is also prayed that the period of training from 2.7.1984 be considered for granting increments. The representation of the petitioner before the 1st respondent appears to have engaged the attention of the 1st respondent, who, by Ext.P2, sought for details from the 2nd respondent. The facts in the writ petition would disclose that the 2nd respondent in turn directed the 3rd respondent to obtain the necessary records from the 4th respondent Headmaster for the purposes of forwarding the same to the 1st respondent for taking a decision. The learned Government Pleader,

on instructions, would submit that the 3rd respondent has since obtained the necessary documents from the 4th respondent and forwarded the same to the 2nd respondent, and all that remains now is for the 2nd respondent to forward the documents to the 1st respondent for the purposes of taking a decision.

Taking note of the submission of the learned Government Pleader, I dispose the writ petition with a direction to the 2nd respondent to immediately forward the documents and files relating to the petitioner, to the 1st respondent, at any rate, within a period of three weeks from the date of receipt of a copy of this judgment so as to enable the 1st respondent to take a decision in the matter. The 1st respondent shall take a decision in the matter, after hearing the petitioner, within a period of one month thereafter. The petitioner shall produce a copy of the writ petition together with a copy of the judgment before the 1st respondent, for further action.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp