

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR**

**MONDAY, THE 25TH DAY OF MAY 2015/4TH JYAISHTA, 1937**

**WP(C).No. 15209 of 2015 (A)**  
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**PETITIONER(S):**  
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**MANI P.P,AGED 39 YEARS  
HEADMASTER IN CHARGE, SACRED HEART HIGH SCHOOL  
KANTHALLOOR, IDUKKI DISTRICT.**

**BY ADV. SRI.M.VIJAYAKUMAR**

**RESPONDENT(S):**  
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- 1. DISTRICT EDUCATIONAL OFFICER  
KATTAPPANA, IDUKKI DISTRICT, 685 508.**
- 2. MANAGER  
SACRED HEART HIGH SCHOOL, KANTHALLOOR  
IDUKKI DISTRICT. 685 610.**
- 3. ANCY JOSEPH  
HIGH SCHOOL ASSISTANT, SACRED HEART HIGH SCHOOL  
KANTHALLOOR, IDUKKI DISTRICT 685 610.**

**R BY GOVERNMENT PLEADER SMT.LOWSY.A.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
25-05-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**WP(C).No. 15209 of 2015 (A)**  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
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**EXHIBIT P1. COPY OF THE REPRESENTATION SUBMITTED BEFORE THE  
MANAGER DATED 9.3.15.**

**EXHIBIT P2. COPY OF THE APPOINTMENT ORDER ISSUED TO THE PETITIONER  
BY THE MANAGER, SACRED HEART HIGH SCHOOL, KANTHALLOOR.**

**EXHIBIT P3. COPY OF THE JUDGMENT IN WPC 9523/2015 DATED 25.3.15.**

**EXHIBIT P4. COPY OF THE REPRESENTATION SUBMITTED BEFORE THE  
DISTRICT EDUCATIONAL OFFICER, IN APRIL, 2015.**

**RESPONDENT(S)' EXHIBITS:       NIL.**  
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**//TRUE COPY//**

**P.S. TO JUDGE**

**A.K.JAYASANKARAN NAMBIAR, J.**

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**W.P.(C).NO.15209 OF 2015 (A)**  
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**Dated this the 25<sup>th</sup> day of May, 2015**

**J U D G M E N T**

The petitioner, aggrieved by the inaction on the part of the respondents in approving the appointment of the petitioner as Headmaster, has filed Ext.P4 representation before the 1<sup>st</sup> respondent. In the writ petition, the limited prayer of the petitioner is for a direction to the 1<sup>st</sup> respondent to consider and pass orders on Ext.P4 representation within a specified time frame.

2. I have heard the learned counsel for the petitioner as also the learned Government Pleader for the 1<sup>st</sup> respondent.

The facts in the writ petition would indicate that by Ext.P3 judgment, the 1<sup>st</sup> respondent was directed to consider the claim of the 3<sup>rd</sup> respondent for appointment as Headmistress of the School, the post to which the petitioner has been appointed. In view of the direction issued in Ext.P3 judgment in respect of the 3<sup>rd</sup> respondent, it would be necessary for the 1<sup>st</sup> respondent to consider Ext.P4

representation preferred by the petitioner along with the case of the 3<sup>rd</sup> respondent, which has been directed to be considered in Ext.P3 judgment. Accordingly, I dispose the writ petition with a direction to the 1<sup>st</sup> respondent to consider Ext.P4 representation preferred by the petitioner, along with the claim of the 3<sup>rd</sup> respondent, for appointment to the post of Headmaster in the School. The 1<sup>st</sup> respondent shall consider the rival claims and take a decision in the matter of approval of the appointment of the petitioner. If he finds that the appointment of the petitioner as Headmaster is in order, then the approval to the said appointment shall not be delayed. If, on the other hand, he finds that it is the 3<sup>rd</sup> respondent who has a superior claim for appointment as Headmaster/Headmistress, then he shall pass a reasoned order stating clearly why the 3<sup>rd</sup> respondent has a superior claim for the said post. The 1<sup>st</sup> respondent shall pass orders as directed within a period of one month from the date of receipt of a copy of this judgment, after hearing both the petitioner as well as the 3<sup>rd</sup> respondent.

**A.K.JAYASANKARAN NAMBIAR**  
**JUDGE**

prp