

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 28TH DAY OF MAY 2015/7TH JYAISHTA, 1937

WP(C).No. 15788 of 2015 (W)

PETITIONER(S):

**SOORAJ SATHIAN K,
AGED 47 YEARS,
UPSA, D.D. SABHA HIGH SCHOOL,
KARIMPADAM, CHENNAMANGALAM P.O.,
PARAVUR.**

**BY ADVS.SRI DEEPU THANKAN
KUM.P.V.JAYALAKSHMY**

RESPONDENT(S):

**1.THE DISTRICT EDUCATIONAL OFFICER
ALUVA - 683 101.**

**2.THE MANAGER,
D.D. SABHA HIGH SCHOOL,
KARIMPADAM, CHENNAMANGALAM P.O.,
PARAVUR 683 512.**

R BY GOVERNMENT PLEADER SMT.M.J.RAJASREE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
28-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE DEGREE CERTIFICATES DT. 13.11.2013.

EXT.P2: COPY OF THE DEGREE CERTIFICATES DT. 11.11.1992.

EXT.P3: COPY OF THE B.ED DEGREE CERTIFICATE DT. 28.8.1995.

EXT.P4: COPY OF THE PROMOTION ORDER DT. 2.6.2014.

EXT.P5: COPY OF THE REPRESENTATION DT. 7.5.2015.

EXT.P6: COPY OF THE NEWS PAPER NOTIFICATION DT. 8.5.2015.

RESPONDENTS EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.15788 OF 2015 (W)

Dated this the 28th day of May, 2015

J U D G M E N T

The petitioner, who is working as Upper Primary School Assistant in D.D. Sabha High School, Chendamangalam, Paravur, is stated to have requisite qualifications to be appointed to the post of HSA (Malayalam), as also HSA (Social Studies). It is his case that he is a claimant under Rule 43 of Chapter XIVA of the Kerala Education Rules and he apprehends that the 2nd respondent may appoint other persons to the next vacancy of HSA that is likely to arise in the School. Apprehending an adverse decision in the matter, he has approached the 2nd respondent through Ext.P5 representation, with a copy of the same marked to the 1st respondent as well. The limited prayer of the petitioner in the writ petition is for a direction to respondents 1 and 2 to consider Ext.P5 representation expeditiously and to refrain from making any appointment to the post of HSA in the School till such time as a decision is taken in the matter.

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

3. In the nature of the orders that I propose to pass, I do not deem it necessary to hear the 2nd respondent. Considering the submissions made across the bar, I direct the 1st and 2nd respondents to consider and pass orders on Ext.P5 representation within a period of three weeks from the date of receipt of a copy of this judgment, after hearing the petitioner. I make it clear that till such time as orders are passed by the 1st and 2nd respondents as directed above, and communicated to the petitioner, the 2nd respondent shall not effect any appointment to the next arising vacancy of HSA in the School.

The writ petition is disposed as above.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp