

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937

W.P.(C).No.26366 of 2005 (L)

PETITIONER(S):-

C.K. SHERLY, AGED 31 YEARS, W/O. SHAJI SHINOB,
HIGH SCHOOL ASSISTANT (MATHS),
A.M.M. HIGH SCHOOL, PULIKKAL, MALAPPURAM,
(RESIDING AT PRASANNALAYAM, PANTHEERANKAVU,
KOZHIKODE DISTRICT).

BY ADVS.SRI.V.A.MUHAMMED

RESPONDENT(S):-

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1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT, SECRETARIAT, TRIVANDRUM.
 2. THE DIRECTOR OF PUBLIC INSTRUCTION,
JAGATHY, TRIVANDRUM-14.
 3. THE DISTRICT EDUCATIONAL OFFICER,
MALAPPURAM.
 4. THE MANAGER,
A.M.M. HIGH SCHOOL, PULIKKAL, MALAPPURAM DISTRICT.
 5. THE HEADMASTER,
A.M.M. HIGH SCHOOL, PULIKKAL, MALAPPURAM DISTRICT.

R1 TO R3 BY GOVERNMENT PLEADER SRI.S.JAMAL.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
30-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

W.P.(C).NO.26366 OF 2005-L

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1 TRUE COPY OF THE INTERIM ORDER IN W.P.(C)
 NO.18030 OF 2005 OF THIS HON'BLE COURT.

RESPONDENT'S EXHIBITS:-

NIL.

vku/-

[true copy]

K. Vinod Chandran, J

W.P.(C).No.26366 of 2005-L

Dated this the 30th day of October, 2015

JUDGMENT

The petitioner had approached this Court for continuation in the leave vacancy. The petitioner was appointed as High School Assistant (Maths) for the period between 10.7.1997 to 31.08.2000 against a leave vacancy. She was again appointed in a leave vacancy in the said post, between 22.10.2000 to 31.08.2005. Both the said appointments were approved. The petitioner contended that the incumbent extended the leave for three years from 01.09.2005. Since there was a dispute with respect to the Managership of the school, the petitioner's appointment could not be made for the balance period.

2. The petitioner was directed to be continued as per interim order dated 24.11.2005. However, the approval would have to be separately considered by the Assistant Educational Officer for the period she had been directed to be continued. The learned Government Pleader submits that the

petitioner's service from 24.11.1995, on which date the interim order was passed, has already been approved. In such circumstance, the writ petition is dismissed as infructuous.

Sd/-

K.Vinod Chandran
Judge.

vku/-

[true copy]