

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

WP(C) .No. 16396 of 2015 (Y)

PETITIONER:

JALAJA P.NAIR
AGED 48 YEARS
WIFE OF V.G. AYYAPPAN PILLAI,
HEADMISTRESS, THALAPANANGAD LP SCHOOL,
MUNDANCAVU CHENGANNUR 689121
ALAPPUZHA DISTRICT

BY ADVS.SRI.V.A.MUHAMMED
SRI.V.RAJASEKHARAN NAIR

RESPONDENTS:

1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM 695 001
2. THE DIRECTOR OF PUBLIC INSTRUCTIONS
JAGATHY, THIRUVANANTHAPURAM 695014
3. THE DISTRICT EDUCATIONAL OFFICER
MAVELIKKARA, ALAPPUZHA DISTRICT 690 101
4. THE ASSISTANT EDUCATIONAL OFFICER
CHENGANNUR, ALAPPUZHA DISTRICT 689 121
5. THE MANAGER
THALAPANNAGAND LP SCHOOL, MUNDANCAVU
CHENGANNUR 689121, ALAPPUZHA DISTRICT
6. SMT. SUBY T. VARGHESE LOWER PRIMARY
SCHOOL MUNDANCAVU, CHENGANNUR 689121
ALAPPUZHA DISTRICT

BY GOVERNMENT PLEADER: SMT.A.LOWSY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
05-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 16396 of 2015 (Y)

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT P1: TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONERS DATED
25.10.2013

EXHIBIT P2: TRUE COPY OF THE ORDER NO.G/2911/2013 DATED 20.2.2013 OF THE
4TH RESPONDENT

EXHIBIT P3: TRUE COPY OF THE APPEAL PETITION SUBMITTED BY THE MANAGER OF
THE SCHOOL DATED 18.1.2014

EXHIBIT P4: TRUE COPY OF THE JUDGMENT IN WPC NO.60/2014 -F DATED
20.3.2015

EXHIBIT P5: TRUE COPY OF THE ORDER NO. B1/2386/2015 DATED 21.5.2015 OF
THE 3RD RESPONDENT

EXHIBIT P6: TRUE COPY OF THE JUDGMENT IN OP (KAT) NO. 131/2015-Z DATED
10.04.2015

EXHIBIT P7: TRUE COPY OF THE REVISION PETITION SUBMITTED BEFORE THE
GOVERNMENT DATED 30.5.2015, WITHOUT EXHIBIT

EXHIBIT P8: TRUE COPY OF THE LETTER OF THE GOVERNMENT DATED 29.5.2015
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RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

PA TO JUDGE

rsr

A.K.JAYASANKARAN NAMBIAR. J.

W.P.(C). No. 16396 of 2015

Dated this the 5th day of June, 2015

JUDGMENT

The petitioner, who is working as LPSA in the L.P.School, Thalapanangad, was promoted as Headmistress on 24/10/2013 in a vacancy that arose on the death of the previous incumbent. Pursuant to a denial of approval to the said appointment of the petitioner, the petitioner has moved the Educational Authorities. By an order dated 21/05/2015, the DEO directed the AEO to promote and appoint the 6th respondent as Headmistress. Aggrieved by the said order of the the DEO, the petitioner has preferred Ext. P7 revision before the 1st respondent. In the writ petition, the limited prayer of the petitioner is for a direction to the 1st respondent to consider and pass appropriate orders on Ext.P7 within a specified time frame and to direct the 5th respondent not to make any appointment to the post of Headmistress in the meanwhile.

2. I have heard the learned Counsel for the petitioner as also the learned Government Pleader for the respondents.

3. On a consideration of facts and circumstances of the case as also the submissions made across the bar, I direct the 1st respondent to consider and pass orders on Ext. P7 revision petition filed by the petitioner within a period of one month from the date of receipt of a copy of this judgment, after hearing the petitioner. Taking note of the contentions of the petitioner in the revision petition, I direct that the operation of Exts.P2 and P5 shall be kept in abeyance till such time as orders are passed by the 1st respondent, as directed, and communicated to the petitioner.

The writ petition is disposed as above.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

W.P.(C).No. 16396 of 2015