

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

WP(C).NO. 16542 OF 2015 (P)

PETITIONER(S) :

SREELAMMA K.C AGED 50 YEARS
W/O.SURENDRAN P.K
H.S.A (MALAYALAM)
M.S.M HIGHER SECONDARY SCHOOL
KAYAMKULAM, ALAPPUZHA DISTRICT

2. BEENA P.M AGED 47 YEARS,
W/O.A.N.SALIM
H.S.A(MALAYALAM)
M.S.M HIGHER SECONDARY SCHOOL
KAYAMKULAM, ALAPPUZHA DISTRICT

BY ADVS.SRI.M.V.THAMBAN
SRI.R.REJI
SMT.THARA THAMBAN
SRI.B.BIPIN
SRI.ARUN BOSE

RESPONDENT(S) :

1.STATE OF KERALA
REPRESENTATED BY ITS SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF GENERAL EDUCATION
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM PIN-695 001

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS
THIRUVANANTHAPURAM, PIN 695 001

3. THE DEPUTY DIRETOR OF EDUCATION
ALAPPUZHA, PIN 688 001

4.THE DISTRICT EDUCATIONAL OFFICER
MAVELIKKARA, ALAPPUZHA DISTRICT, -690001

5.THE MANAGER
M.S.M HIGHER SECONDARY SCHOOL
KAYAMKULAM, ALAPPUZHA DISTRICT, PIN-690 502

6.SMT.VEENA.U.NAIR, HAS (MATHS),
H.S.A(MALAYALAM)
M.S.M HIGHER SECONDARY SCHOOL
KAYAMKULAM, ALAPPUZHA DISTRICT,PIN-690 502

BY GOVERNMENT PLEADER SMT.M.J.RAJASREE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).NO. 16542 OF 2015 (G)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1.TRUE COPY OF THE RELEVANT PAGES OF THE COMBINED SENIORITY
LIST DATED 01.01.2014

EXHIBIT P2.TRUE COPY OF THE INTERIM ORDER DATED 10.04.2015 IN WP(C) .
NO.12298/2015

EXHIBIT P3.TRUE COPY OF THE E-POST MESSAGE OBTAINED FROM THE INTERNET
DATED 12.05.2015

EXHIBIT P4. TRUE COPY OF THE REPRESENTATION DATED 27.05.2015 OF THE
2ND RESPONDENT

EXHIBIT P5. TRUE COPY OF THE REPRESENTATION SENT BY THE 1ST
PETITIONER DATED 01.06.2015

EXHIBIT P6. TRUE COPY OF THE REPRESENTATION SENT BY THE 2ND
PETITIONER DATED 01.06.2015

EXHIBIT P7: TRUE COPY OF THE PASSED BY THE 3RD RESPONDENT DATED
09.03.2015

RESPONDENT(S) ' EXHIBITS:NIL

//TRUE COPY//

P.A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.16542 of 2015

.....
Dated this the 3rd day of June, 2015

J U D G M E N T

The petitioners, who are working as H.S.A (Malayalam) in the School under the management of the 5th respondent apprehend that the 6th respondent, who is junior to the petitioners, may be appointed as Headmaster in the School overlooking their claim. Highlighting their apprehension, the petitioners had preferred Ext.P4 representation before the 2nd respondent and Exts.P5 and P6 representations before the 1st respondent. The prayer of the petitioner in the writ petition is for a direction to the 1st and 2nd respondents to consider and pass orders on the representations filed by the petitioners which are pending before them within a specified time frame and to injunct the 5th respondent Manager from making any appointment to the post of Headmaster till such time as the 1st and 2nd respondents take a decision on the representation pending before them.

2. I have heard the learned counsel for the petitioner and also the learned Government Pleader for the respondents.

3. On a consideration of the facts and circumstances of the case as also the submissions made across the bar, I dispose the writ

petition with a direction to the 1st respondent to consider and pass orders on Ext.P5 and P6 representations pending before him within a period of one month 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 respondent as directed in this judgement, the 5th respondent shall not make any appointment to the post of Headmaster in the School.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns