

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYAISHTA, 1937

WP(C).No. 16623 of 2015 (C)

PETITIONER(S) :

1. MUHAMMED K.,
HIGHER SECONDARY SCHOOL TEACHER (ARABIC),
KAMBIL MOPLA HIGHER SECONDARY SCHOOL, KOLACHERY P.O.,
KANNUR DISTRICT.
2. HAREESH P.,
HIGHER SECONDARY SCHOOL TEACHER (MALAYALAM),
KAMBIL MOPLA HIGHER SECONDARY SCHOOL, KOLACHERY P.O.,
KANNUR DISTRICT.
3. SUHAIB A.M.,
HIGHER SECONDARY SCHOOL TEACHER (ECONOMICS),
TIM GIRLS HIGHER SECONDARY SCHOOL,
NADAPURAM, KOZHIKODE DISTRICT.
4. NASEEMA M.V.,
HIGHER SECONDARY SCHOOL TEACHER (COMMERCE),
TIM GIRLS HIGHER SECONDARY SCHOOL,
NADAPURAM, KOZHIKODE DISTRICT.
5. ABDU P.K.,
HIGHER SECONDARY SCHOOL TEACHER (ARABIC),
PUTHIYANGADI JAMA-ATH HIGHER SECONDARY SCHOOL,
P.O., MADAYI, KANNUR DISTRICT.
6. NOOH K.,
HIGHER SECONDARY SCHOOL TEACHER (JR) (MATHEMATICS),
NOCHAT HIGHER SECONDARY SCHOOL, NOCHAT P.O.,
NADUVANNUR, KOZHIKODE DISTRICT.
7. JAZEEM E.T.,
HIGHER SECONDARY SCHOOL TEACHER(JR) (PHYSICS),
NOCHAT HIGHER SECONDARY SCHOOL,
NOCHAT P.O., NADUVANNUR, KOZHIKODE DISTRICT.
8. JIM ABRAHAM JACOB V.,
HIGHER SECONDARY SCHOOL TEACHER(MALAYALAM),
THARAKAN HIGHER SECONDARY SCHOOL, ANGADIPURAM P.O.,
PERINTHALMANNA, MALAPPURAM DISTRICT.

9. SANGEETHA MANGALASSERY,
HIGHER SECONDARY SCHOOL TEACHER (MALAYALAM) ,
ASM HIGHER SECONDARY SCHOOL,
VELLIYANCHERY, MALAPPURAM DISTRICT.
10. JITHESH P. ,
HIGHER SECONDARY SCHOOL TEACHER (COMPUTER SCIENCE) ,
VHSS KANICHUKULANGARA, ALAPPUZHA DISTRICT.
11. JEENA ANGEL ,
HIGHER SECONDARY SCHOOL TEACHER (JR) (COMPUTER SCIENCE) ,
ST FRANCIS ASSISI HIGHER SCONDARY SCHOOL.
ARTHUNKAL P.O. ,CHERTHALA, ALAPPUZHA DISTRICT.
12. BOBIN K. PALIATH ,
HIGHER SECONDARY SCHOOL TEACHER (JR) (CHEMISTRY) ,
ST FRANCIS ASSISI HIGHER SCONDARY SCHOOL.
ARTHUNKAL P.O. ,
CHERTHALA, ALAPPUZHA DISTRICT.
13. SHEEGHA M.S. ,
HIGHER SECONDARY SCHOOL TEACHER (MATHEMATICS) ,
SREEKRISHNA HIGHER SECONDARY SCHOOL,
GURUVAYOOR, THRISSUR DISTRICT.
14. DHANYA K.R. ,
HIGHER SECONDARY SCHOOL TEACHER (JR) (PHYSICS) ,
SREEKRISHNA HIGHER SECONDARY SCHOOL, GURUVAYOOR,
THRISSUR DISTRICT.
15. ANITHA K. ,
HIGHER SECONDARY SCHOOL TEACHER (JR) (CHEMISTRY) ,
SREEKRISHNA HIGHER SECONDARY SCHOOL, GURUVAYOOR,
THRISSUR DISTRICT.
16. SREEVIDYA M.N. ,
HIGHER SECONDARY SCHOOL TEACHER (MATHEMATICS) ,
MES HIGHER SECONDARY SCHOOL,
NARAYANAPURAM, P.VEMBALLUR POST, THRISSUR DISTRICT.
17. BEENA K. ,
HIGHER SECONDARY SCHOOL TEACHER (HINDI) ,
POILKAV HIGHER SECONDARY SCHOOL,
EDAKKULAM, KOILANDY, KOZHIKODE DISTRICT.
18. SUMAYYA BEEGUM PALLIYALI ,
HIGHER SECONDARY SCHOOL TEACHER (COMMERCE) ,
FAROOK HIGHER SECONDARY SCHOOL, FAROOK COLLEGE P.O. ,
KOZHIKODE.

19. MUHAMMED MUSTHAFA K.T.,
HIGHER SECONDARY SCHOOL TEACHER (ECONOMICS),
FAROOK, HIGHER SECONDARY SCHOOL,
FAROOK COLLEGE P.O., KOZHIKODE.
20. MUHAMMED RISHAN O.,
HIGHER SECONDARY SCHOOL TEACHER (COMMERCE),
EMEA HIGHER SECONDARY SCHOOL,
KONDOTTY P.O., MALAPPURAM DISTRICT.
21. ABDULLA K.T.,
HIGHER SECONDARY SCHOOL TEACHER (ENGLISH),
EMEA HIGHER SECONDARY SCHOOL,
KONDOTTY P.O., MALAPPURAM DISTRICT.
22. ANVER ALI V.,
HIGHER SECONDARY SCHOOL TEACHER (ARABIC),
IKT HIGHER SECONDARY SCHOOL, CHERUKULAMBA,
VATTALLUR P.O., MALAPPURAM DISTRICT.
23. ABDUL JALEEL THARUVARA,
HIGHER SECONDARY SCHOOL TEACHER (ENGLISH),
IKT HIGHER SECONDARY SCHOOL, CHERUKULAMBA,
VATTALLUR P.O., MALAPPURAM DISTRICT.
24. AKBAR KARUVALLY PATHIKKAL,
HIGHER SECONDARY SCHOOL TEACHER (COMMERCE),
IKT HIGHER SECONDARY SCHOOL, CHERUKULAMBA,
VATTALLUR P.O., MALAPPURAM DISTRICT.
25. ALAVIKUTTY K.K.,
HIGHER SECONDARY SCHOOL TEACHER (HINDI)
DU HIGHER SECONDARY SCHOOL,
PATTERKADAVU P.O., MALAPPURAM DISTRICT.
26. ANEES N.,
HIGHER SECONDARY SCHOOL TEACHER (ARABIC),
DU HIGHER SECONDARY SCHOOL PATTERKADAVU P.O.,
MALAPPURAM DISTRICT.
27. MANJU N.,
HIGHER SECONDARY SCHOOL TEACHER (JR) (ENGLISH),
NADUVANNUR HIGHER SECONDARY SCHOOL, VAKAYAD P.O.,
KOZHIKODE DISTRICT.
28. BRIJITH E.K.,
HIGHER SECONDARY SCHOOL TEACHER (JR) (COMMERCE),
NADUVANNUR HIGHER SECONDARY SCHOOL
VAKAYAD P.O., KOZHIKODE DISTRICT.

29. PREMNISHA K.P. ,
HIGHER SECONDARY SCHOOL TEACHER(ENGLISH) ,
POYOKAVU HIGHER SECONDARY SCHOOL,
EDAKULAM, KOILANDY, KOZHIKODE DISTRICT.

BY ADVS.SRI.K.T.SHYAMKUMAR
SRI.HARISH R. MENON.

RESPONDENT (S) :

1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
2. DIRECTOR OF HIGHER SECONDARY EDUCATION,
SANTHI NAGER, THIRUVANANTHAPURAM - 695 001.
3. REGIONAL DEPUTY DIRECTOR OF EDUCATION,
HIGHER SECONDARY EDUCATION, REGIONAL OFFICE,
MALAPPURAM - 676 505.
4. REGIONAL DEPUTY DIRECTOR OF EDUCATION,
HIGHER SECONDARY EDUCATION, REGIONAL OFFICE,
KOZHIKODE - 673 001.
5. REGIONAL DEPUTY DIRECTOR OF EDUCATION,
HIGHER SECONDARY EDUCATION, REGIONAL OFFICE,
KANNUR - 670 001.
6. REGIONAL DEPUTY DIRECTOR OF EDUCATION,
HIGHER SECONDARY EDUCATION, REGIONAL OFFICE,
ERNAKULAM - 682 013.
7. REGIONAL DEPUTY DIRECTOR OF EDUCATION,
HIGHER SECONDARY EDUCATION, REGIONAL OFFICE,
THIRUVANANTHAPURAM 695 001

BY GOVERNMENT PLEADER SMT.M.J.RAJASREE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE GO (MS) NO.128/2010/G.EDN DATED
20.07.2010 ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P2: TRUE COPY OF THE GO (MS) NO.167/11/G.EDN DATED
03.08.2011 ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P3: TRUE COPY OF THE GO (MS) NO.211/2011/G.EDN DATED
24.10.2011.

EXHIBIT P4: TRUE COPY OF THE GO (MS) NO.211/2013/G.EDN DATED
15.07.2013.

EXHIBIT P5: TRUE COPY OF THE GO (MS) NO.261/2001/G.EDN DATED
17.08.2001.

EXHIBIT P6: TRUE COPY OF THE GO (MS) NO.466/05/G.EDN DATED
31.12.2005.

EXHIBIT P7: TRUE COPY OF THE GO (MS) NO.28/2007/G.EDN DATED
07.02.2007.

EXHIBIT P8: TRUE COPY OF THE JUDGMENT DATED 19.09.2014 IN
WPC.NO.20849/2013.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.K.JAYASANKARAN NAMBIAR, J.

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W.P.(C). No. 16623 of 2015

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Dated this the 4th day of June, 2015

JUDGMENT

The issue involved in the writ petition is squarely covered in favour of the petitioner by Ext.P8 judgment of this Court. Accordingly, the petitioner will also be entitled to benefits at par with the petitioners in the said judgment. Ext.P4 Government Order, in its application to the petitioner shall have effect from the commencement of the academic years 2011-12 and 2012-13 respectively, subject to physical verification as to whether the petitioner is qualified to hold the post of HSST in terms of Rule 1d of Chapter XXXII of KER.

The writ petition is allowed as above.

Sd/-

A.K.JAYASANKARAN NAMBIAR
JUDGE