

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. 16820 of 2015 (B)

PETITIONER(S):

**VIJAYALEKSHMI T.P AGED 32 YEARS
HIGH SCHOOL ASSISTANT (PHYSICAL SCIENCE)
AB VILASAM HIGHER SECONDARY SCHOOL
MUHAMMA, ALAPPUZHA DISTRICT**

**BY ADVS.SRI.K.JAJU BABU (SR.)
SMT.M.U.VIJAYALAKSHMI**

RESPONDENT(S):

- 1. STATE OF KERALA, REPRESENTED BY ITS
SECRETARY TO GOVERNMENT, GENERAL EDUCATION
DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM - 695 001**
- 2 THE DISTRICT EDUCATIONAL OFFICER,
CHERTHALA PIN- 688 524**
- 3 THE MANAGER, AB VILASAM HIGHER SECONDARY SCHOOL
MUHAMMA, ALAPPUZHA DISTRICT - 688 525**
- 4 SMT. P.R. ASWATHY, UPSA,
AB VILASAM HIGHER SECONDARY SCHOOL
MUHAMMA, ALAPPUZHA DISTRICT - 688 525**

R BY GOVERNMENT PLEADER, SMT. M.J. RAJASREE

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

APPENDIX

PETITIONER'S EXHIBITS:-

- EXHIBIT P1 TRUE COPY OF THE ORDER NO.B3/3345/2011/L.Dis DATED 18.01.2012
OF THE 2ND RESPONDENT.
- EXHIBIT P2 TRUE COPY OF THE ORDER NO. B3/3481/2012/L.Dis DATED 06.09.2012
OF THE 2ND RESPONDENT.
- EXHIBIT P3 TRUE COPY OF THE REVISION PETITION DATED 18.04.2015
SUBMITTED BY THE PETITIONER BEFORE THE GOVERNMENT.
- EXHIBIT P4 TRUE COPY OF THE ORDER NO. B3/2476/2015/L.Dis DATED 28.04.2015
ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT P5 TRUE COPY OF THE REVISION PETITION DATED 16.05.2015
SUBMITTED BY THE PETITIONER BEFORE THE GOVERNMENT AS PER
RULE 92 OF CHAPTER XIV A KER.

RESPONDENT(S)' EXHIBITS

NIL

// True copy //

PA to Judge

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 16820 of 2015

Dated this the 5th day of June, 2015

JUDGMENT

The petitioner is working as High School Assistant (Physical Science) in the 3rd respondent, School. Against the denial of approval to her initial appointment as UPSA with effect from 01.06.2011, she had preferred an appeal, which was rejected as time barred. In the meanwhile, however, she was appointed in a promotion vacancy as HSA (Physical Science) with effect from 04.06.2012. Approval was denied to the said appointment as well. Against the orders of the educational authority, she has now preferred Ext.P3 revision petition, which is pending before the Government. It is the contention of the petitioner that when she was appointed yet again as HSA (Physical Science), in a promotion vacancy that arose in the academic year 2014-2015, approval to the said appointment was again denied by the educational authority, who directed the 3rd respondent Manager to appoint the 4th respondent in the post which the petitioner is holding. Aggrieved by the said order of the educational authority, the petitioner has preferred another revision petition, before the Government, which is produced as Ext.P5. In the writ petition, the limited prayer of the petitioner is for a direction to the 1st respondent to consider and pass orders on Exts.P3 and P5 revision

petitions within a specified time frame.

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

On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose the writ petition with a direction to the 1st respondent to consider and pass orders on Exts.P3 and P5 revision petitions, after hearing the petitioner, as expeditiously as possible and, at any rate, within a period of two months from the date of receipt of a copy of this judgment. Taking note of the contention of the petitioner in the revision petition, the operation of Ext.P4 order shall be kept in abeyance, till such time as orders are passed by the 1st respondent, as directed, and communicated to the petitioner.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE