

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 8TH DAY OF JUNE 2015/18TH JYAISHTA, 1937

WP(C).No. 17031 of 2015 (D)

PETITIONER(S):

**1.DHANESH M.V, HSST (JR) JOURNALISM,
KADACHIRA HSS, KADACHIRA, KANNUR DISTRICT.**

**2.SREEVINI.K.V, HSST (JR) PHYSICS,
KADACHIRA HSS, KADACHIRA, KANNUR DISTRICT.**

**3.SHAMEERA.V., HSST (JR), SOCIOLOGY,
KADACHIRA HSS, KADACHIRA, KANNUR DISTRICT.**

**4.SUBHA I.S., HSST (JR) MATHEMATICS,
KADACHIRA HSS, KADACHIRA, KANNUR DISTRICT.**

**5.PRATHEESH P.V, HSST (JR) BOTANY,
KADACHIRA HSS, KADACHIRA, KANNUR DISTRICT.**

**6.SOSHMI.K., HSST (JR) ZOOLOGY,
KADACHIRA HSS, KADACHIRA, KANNUR DISTRICT.**

**7.NISHITHA M.C., HSST (JR) COMMUNICATIVE ENGLISH,
KADACHIRA HSS, KADACHIRA, KANNUR DISTRICT.**

**8.RAJESH N.S., HSST (JR) MATHEMATICS,
VRAKKAD HSS, KOTTAMALA, KASARAGOD DISTRICT.**

**9.KAVITHA M.M., HSST (JR) CHEMISTRY,
VRAKKAD HSS, KOTTAMALA, KASARAGOD DISTRICT**

**10.PRATHEESH KUMAR.C., HSST (JR) PHYSICS,
VRAKKAD HSS, KOTTAMALA, KASARAGOD DISTRICT**

**11.REENA.T., HSST (JR) HISTORY,
VRAKKAD HSS, KOTTAMALA, KASARAGOD DISTRICT**

**12.BIJU M.S., HSST (JR) ENGLISH,
VRAKKAD HSS, KOTTAMALA, KASARAGOD DISTRICT**

**13.SHIJI GEORGE, HSST (JR) SOCIOLOGY,
VRAKKAD HSS, KOTTAMALA, KASARAGOD DISTRICT**

**14.REMYA M.R., HSST (JR) HINDI,
VRAKKAD HSS, KOTTAMALA, KASARAGOD DISTRICT.**

**15.MANJU GEORGE, HSST (JR) SOCIOLOGY,
SACRED HEART HSS, THALASSERY, KANNUR DISTRICT.**

**16.VINOD KUMAR A., HSST (SR) COMMERCE,
ANNAPURNESHWARI HSS, AGALPADY, KANNUR DISTRICT.**

**17.LEKHA P.K., HSST (JR) ECONOMICS,
ANNAPURNESHWARI HSS, AGALPADY, KANNUR DISTRICT.**

**18.REMYA K.K., HSST (JR) CHEMISTRY,
KADACHIRA HSS, KADACHIRA, KANNUR DISTRICT.**

**19.ANEESH KUMAR E.P., HSST (JR) CHEMISTRY,
IRITTY HSS, IRITTY, KANNUR DISTRICT.**

**20.BINCY K.J., HSST (JR) ECONOMICS,
IRITTY HSS, IRITTY, KANNUR DISTRICT.**

**21.BENZY RAJ.K., HSST (JR) PHYSICS,
IRITTY HSS, IRITTY, KANNUR DISTRICT.**

**22.BIJU KUMAR A.M., HSST (JR) MATHEMATICS,
IRITTY HSS, IRITTY, KANNUR DISTRICT.**

**23.SIBLP., HSST (JR) COMPUTER APPLICATION,
IRITTY HSS, IRITTY, KANNUR DISTRICT.**

BY ADV. SRI.SEBASTIAN JOSEPH (KURISUMMOOTIL)

RESPONDENT(S):

**1.THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM PIN 695 001.**

**2.THE DIRECTOR OF HIGHER SECONDARY EDUCATION,
THIRUVANANTHAPURAM PIN - 695 001.**

**3.THE REGIONAL DEPUTY DIRECTOR,
HIGHER SECONDARY EDUCATION, REGIONAL OFFICE,
KOZHIKODE - 673 101.**

**4.THE REGIONAL DEPUTY DIRECTOR HIGHER SECONDARY
EDUCATION, REGIONAL OFFICE, KANNUR 670 001.**

**5.THE MANAGER, KADACHIRA HSS,
KADACHIRA, KANNUR DISTRICT. 670 003.**

W.P.(C).NO.17031/2015

**6.THE MANAGER, VRAKKAD HSS,
KOTTAMALA, KASARAGOD DISTRICT 671 001.**

**7.THE MANAGER, SACRED HEART HSS,
THALASSERY, KANNUR DISTRICT. 670 301.**

**8.THE MANAGER, ANNAPURNESHWARI HSS,
AGALPADY, KANNUR DISTRICT.**

**9.THE MANAGER, IRITTY HSS, IRITTY,
KANNUR DISTRICT 670 370.**

R BY GOVERNMENT PLEADER SMT.LOWSY.A.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
08-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

Ext.P1: COPY OF THE G.O.(MS) NO.211/2011/G.EDN. DATED 24.10.2011.

Ext.P2: COPY OF CIRCULAR NO.ACD.B5/7005/HSE/10 DATED 15.11.2011.

Ext.P3: COPY OF THE ORDER NO.A2/462/2013 DATED 30.08.2013.

Ext.P4: COPY OF THE ORDER NO.A2/1398/2012 (G) DATED 30.10.2012.

Ext.P5: COPY OF THE ORDER NO.A2/1398(C)/2012 DATED 04.03.2013.

Ext.P6: COPY OF THE ORDER NO.A2/1398/2012(E) DATED 30.10.2012.

Ext.P7: COPY OF THE ORDER NO.A2/1398(J)/2012 DATED 04.08.2012.

Ext.P8: COPY OF THE ORDER NO.A2/1398/2012 (K) DATED 04.08.2012.

Ext.P9: COPY OF THE ORDER NO.A2/1398/2012 (M) DATED 26.11.2012.

Ext.P10: COPY OF THE ORDER NO.A3/1357/2012 DATED 16.11.2012.

Ext.P11: COPY OF THE ORDER NO.A3/235/2013 DATED 16.08.2013.

Ext.P12: COPY OF THE ORDER NO.A3/1358/2012 DATED 13.07.2012.

Ext.P13: COPY OF THE ORDER NO.A3/1652/2012 DATED 16.07.2012.

Ext.P14: COPY OF THE ORDER NO.A3/1356/2012 DATED 17.11.2012.

Ext.P15: COPY OF THE ORDER NO.A3/12860/2012 DATED 26.08.2013.

Ext.P16: COPY OF THE ORDER NO.A3/7521/2013 DATED 20.07.2013.

Ext.P17: COPY OF THE ORDER NO.A1/13964/2011(B) DATED 11.09.2012.

Ext.P18: COPY OF THE ORDER NO.A3/1312/2012 DATED 07.06.2012.

Ext.P19: COPY OF THE ORDER NO.A3/1312/2012 DATED 07.06.2012.

Ext.P20: COPY OF THE ORDER NO.A2/1398/2012 (D) DATED 30.10.2012.

Ext.P21: COPY OF THE ORDER NO.A2/13974/2011 (D) DATED 12.09.2012.

Ext.P22: COPY OF THE ORDER NO.A2/13974/2011 (H) DATED 12.09.2012.

Ext.P23: COPY OF THE ORDER NO.A2/13974/2011 (C) DATED 12.09.2012.

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Ext.P24: COPY OF THE ORDER NO.A2/13974/2011 (B) DATED 12.09.2012.

Ext.P25: COPY OF THE ORDER NO.A2/13974/2011 (E) DATED 12.09.2012.

Ext.P26: COPY OF THE ORDER G.O.(MS) NO.126/1992/G.EDN. DATED 17.6.1992.

**Ext.P27: COPY OF THE COMMUNICATION NO.ACD-C3/53830/HSE/2013 DATED
19.12.2013.**

**Ext.P28: COPY OF THE ORDER NO.A3/12735/2011 DATED 19.04.2012 OF THE 3RD
RESPONDENT.**

**Ext.P29: COPY OF THE JUDGMENT IN W.P.(C).NO.15651/2014 OF THIS HON'BLE
COURT.**

RESPONDENTS EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.17031 OF 2015 (D)

Dated this the 8th day of June, 2015

J U D G M E N T

The issue involved in the writ petition is squarely covered in favour of the petitioners by Ext.P29 judgment. Accordingly, the present writ petition is also allowed by quashing Exts.P3 to P25 orders, to the extent they impose a condition that the candidates in question are not entitled to vacation salary for the year 2012 in terms of Rule 49 of Chapter XIVA of the Kerala Education Rules. The respondents shall take immediate steps to disburse the vacation salary that is due and payable to the petitioners in the writ petitions, within a period of three months from the date of receipt of a copy of this judgment.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**

prp