

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

WP(C).No. 27448 of 2005 (P)

PETITIONER :

**SHIJU VARGHESE,
S/O. LATE K.M.VARGHESE (PROVIOUSLY CLERK
S.M.H.S. AYALUR), KOCHUPURAKKAL HOUSE
N.S.S.COLLEGE P.O., NEMMARA, PALAKKAD DISTRICT
PIN-678 508.**

**BY ADVS.SRI.M.V.BOSE
SRI.VINOD MADHAVAN
SMT.NISHA BOSE**

RESPONDENT(S) :

- 1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM.**
- 3. THE DISTRICT EDUCATIONAL OFFICER,
PALAKKAD.**
- 4. THE MANAGER,
S.M. HIGH SCHOOL, AYALUR, 163
PANAMPILLY NAGAR, COCHIN-36.**

**R1 TO R3 BY SR. GOVT. PLEADER SRI. K.K. SAIDALAVI
R4 BY ADVS. SRI.S.ANANTHAKRISHNAN
SRI.N.K.SUBRAMANIAN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER'S EXHIBITS :

- EXT.P1 : COPY OF DEATH CERTIFICATE OF THE PETITIONER'S FATHER.
- EXT.P2 COPY OF THE PETITIONER'S APPLICATION DATED 20.7.2004 BEFORE THE 4TH RESPONDENT.
- EXT.P3 COPY OF THE LETTER DATED 7.8.2004 OF THE MANAGER, S.M.H.S. TO THE PETITIONER.
- EXT.P4 COPY OF THE COMPLAINT DATED 2.9.2004 OF THE PETITIONER BEFORE THE D.E.O., PALAKKAD.
- EXT.P5 COPY OF THE G.O. DATED 16.8.1999.
- EXT.P6 COPY OF THE ORDER DATED 27.9.1999 OF THE 3RD RESPONDENT.
- EXT.P7 COPY OF LETTER DATED 3.3.2000 FROM 3RD RESPONDENT TO 2ND RESPONDENT.
- EXT.P8 COPY OF THE JUDGMENT IN WP(C) NO. 32159/2004 DATED 3.11.2004.
- EXT.P9 COPY OF THE ORDER OF D.E.O. DATED 25.2.2005.
- EXT.P10 COPY OF THE REQUEST FROM PETITIONER TO D.E.O., PALAKKAD DATED 6.6.2005.

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 27448 of 2005

Dated this the 29th day of September, 2015

J U D G M E N T

The petitioner has approached this Court alleging that though, vide Ext.P9, the 3rd respondent upheld the right of the petitioner for appointment under 51B in the school of the 4th respondent on the death of the petitioner's father on 14.03.2004, the 4th respondent did not take any action as has been directed in Ext.P9.

2. Today, when the matter came up for hearing, the learned counsel for the 4th respondent made available to me a copy of the proceedings No.A2.04/08 dated 11.08.2008, issued by the Tahsildar, which indicates that the petitioner has been appointed as Villageman at Vadakkancherri-1.

3. The learned counsel for the petitioner submits that there is no response from the petitioner in spite of the registered letter sent by the learned counsel.

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Presumably, the petitioner may not be interested in proceeding with the writ petition as he has already been appointed as Villageman. Therefore, the writ petition is closed without examining the merits.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-