

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

WP(C).No. 17120 of 2015 (L)

PETITIONER(S):

- 1. SUNIL JOSEPH AGED 40 YEARS
HIGHER SECONDARY SCHOOL TEACHER (POLITICAL SCIENCES)
ST.MARYS HIGHER SECONDARY SCHOOL, KALLANCODE
VIA KAKKAYAM, KOZHIKODE DISTRICT.**
- 2. SINDHU DEVASIA
HIGHER SECONDARY SCHOOL TEACHER (HISTORY)
ST.MARYS HIGHER SECONDARY SCHOOL, KALLANCODE
VIA KAKKAYAM, KOZHIKODE DISTRICT.**
- 3. ANUSHA V.R
HIGHER SECONDARY SCHOOL TEACHER (GEOGRAPHY)
ST.MARYS HIGHER SECONDARY SCHOOL, KALLANCODE
VIA KAKKAYAM, KOZHIKODE DISTRICT.**
- 4. MOLLY ABRAHAM
HIGHER SECONDARY SCHOOL TEACHER (ENGLISH)
ST. VINCENT COLONY GIRLS HIGHER SECONDARY SCHOOL
ERANJIPALAM, KOZHIKODE DISTRICT.**
- 5. LINS A K.J
HIGHER SECONDARY SCHOOL TEACHER (SOCIOLOGY)
ST. VINCENT COLONY GIRLS HIGHER SECONDARY SCHOOL
ERANJIPALAM, KOZHIKODE DISTRICT.**
- 6. BOBY THOMAS
HIGHER SECONDARY SCHOOL TEACHER (COMPUTER APPLICATION)
ST. VINCENT COLONY GIRLS HIGHER SECONDARY SCHOOL
ERANJIPALAM, KOZHIKODE DISTRICT.**
- 7. SISTER JULIAMMA KURIAN
HIGHER SECONDARY SCHOOL TEACHER (POLITICAL SCIENCE)
ST. VINCENT COLONY GIRLS HIGHER SECONDARY SCHOOL
ERANJIPALAM, KOZHIKODE DISTRICT.**
- 8. SHANEESH PERUVANAKUNNATH
HIGHER SECONDARY SCHOOL TEACHER (ECONOMICS)
VADAKKUMPAD HIGHER SECONDARY SCHOOL, PALERI
KOZHIKODE DISTRICT.**
- 9. V.BABURAJAN
HIGHER SECONDARY SCHOOL TEACHER (MALAYALAM)
VADAKKUMPAD HIGHER SECONDARY SCHOOL, PALERI
KOZHIKODE DISTRICT.**

10. JIPIN T.C
HIGHER SECONDARY SCHOOL TEACHER (PHYSICS)
VADAKKUMPAD HIGHER SECONDARY SCHOOL, PALERI
KOZHIKODE DISTRICT.
11. JAFFAR CHUNGATH
HIGHER SECONDARY SCHOOL TEACHER (HISTORY)
NAROKKAVU HIGHER SECONDARY SCHOOL, NAROKKAVU
KUNNAMMALPOTTY P.O, MALAPPURAM DISTRICT.
12. BINU PAUL
HIGHER SECONDARY SCHOOL TEACHER (ECONOMICS)
NAROKKAVU HIGHER SECONDARY SCHOOL, NAROKKAVU
KUNNAMMALPOTTY P.O, MALAPPURAM DISTRICT.
13. SUNIL K
HIGHER SECONDARY SCHOOL TEACHER (PHYSICS)
NAROKKAVU HIGHER SECONDARY SCHOOL, NAROKKAVU
KUNNAMMALPOTTY P.O, MALAPPURAM DISTRICT.
14. RAJESH V.V
HIGHER SECONDARY SCHOOL TEACHER (POLITICAL SCIENCE)
NAROKKAVU HIGHER SECONDARY SCHOOL, NAROKKAVU
KUNNAMMALPOTTY P.O, MALAPPURAM DISTRICT.
15. MOHAMMED ASLAM P.M
HIGHER SECONDARY SCHOOL TEACHER (ENGLISH)
NAROKKAVU HIGHER SECONDARY SCHOOL, NAROKKAVU
KUNNAMMALPOTTY P.O, MALAPPURAM DISTRICT.
16. ANIL KUMAR P
HIGHER SECONDARY SCHOOL TEACHER (MATHEMATICS)
NAROKKAVU HIGHER SECONDARY SCHOOL, NAROKKAVU
KUNNAMMALPOTTY P.O, MALAPPURAM DISTRICT.
17. MOHAMMED BABU P
HIGHER SECONDARY SCHOOL TEACHER (SOCIOLOGY)
NAROKKAVU HIGHER SECONDARY SCHOOL, NAROKKAVU
KUNNAMMALPOTTY P.O, MALAPPURAM DISTRICT.
18. SUJA M
HIGHER SECONDARY SCHOOL TEACHER (CHEMISTRY)
NAROKKAVU HIGHER SECONDARY SCHOOL, NAROKKAVU
KUNNAMMALPOTTY P.O, MALAPPURAM DISTRICT.
19. KAREEM P.K
HIGHER SECONDARY SCHOOL TEACHER (ARABIC)
NAROKKAVU HIGHER SECONDARY SCHOOL, NAROKKAVU
KUNNAMMALPOTTY P.O, MALAPPURAM DISTRICT.
20. SHAJIMON POOLAKKAL KARATCHALI
HIGHER SECONDARY SCHOOL TEACHER (ECONOMICS)
C.H.M HIGHER SECONDARY SCHOOL, POOKOLATHUR
PULPATTA P.O, MALAPPURAM DISTRICT.
21. SEENA A.P
HIGHER SECONDARY SCHOOL TEACHER (MATHEMATICS)

**C.H.M HIGHER SECONDARY SCHOOL, POOKOLATHUR
PULPATTA P.O, MALAPPURAM DISTRICT.**

- 22. SAYED RASHEED V.P
HIGHER SECONDARY SCHOOL TEACHER (POLITICAL SCIENCE)
C.H.M HIGHER SECONDARY SCHOOL, POOKOLATHUR
PULPATTA P.O, MALAPPURAM DISTRICT.**
- 23. SANAULLA A.M
HIGHER SECONDARY SCHOOL TEACHER (SOCIOLOGY)
C.H.M HIGHER SECONDARY SCHOOL, POOKOLATHUR
PULPATTA P.O, MALAPPURAM DISTRICT.**
- 24. SAUMYA P.R
HIGHER SECONDARY SCHOOL TEACHER (CHEMISTRY)
C.H.M HIGHER SECONDARY SCHOOL, POOKOLATHUR
PULPATTA P.O, MALAPPURAM DISTRICT.**
- 25. SHAIJU P.C
HIGHER SECONDARY SCHOOL TEACHER (ECONOMICS)
C.P.P.H.M HIGHER SECONDARY SCHOOL, OZHUR
VELLACHAL P.O, MALAPPURAM DISTRICT.**
- 26. RAGI P
HIGHER SECONDARY SCHOOL TEACHER (CHEMISTRY)
C.P.P.H.M HIGHER SECONDARY SCHOOL, OZHUR
VELLACHAL P.O, MALAPPURAM DISTRICT.**
- 27. SAJITHA T
HIGHER SECONDARY SCHOOL TEACHER (COMPUTER APPLICATIONS)
C.P.P.H.M HIGHER SECONDARY SCHOOL, OZHUR
VELLACHAL P.O, MALAPPURAM DISTRICT.**
- 28. DIVYA P
HIGHER SECONDARY SCHOOL TEACHER (MATHEMATICS)
V.V.M HIGHER SECONDARY SCHOOL, MARAKKARA P.O
MALAPPURAM DISTRICT.**
- 29. MOHAMMED SALAH K.P
HIGHER SECONDARY SCHOOL TEACHER (PHYSICS)
V.V.M HIGHER SECONDARY SCHOOL, MARAKKARA P.O
MALAPPURAM DISTRICT.**
- 30. SABNA M
HIGHER SECONDARY SCHOOL TEACHER (CHEMISTRY)
V.V.M HIGHER SECONDARY SCHOOL, MARAKKARA P.O
MALAPPURAM DISTRICT.**
- 31. SUNITHA PALLIPURATH
HIGHER SECONDARY SCHOOL TEACHER (MALAYALAM)
V.V.M HIGHER SECONDARY SCHOOL, MARAKKARA P.O
MALAPPURAM DISTRICT.**
- 32. VINI C.R
HIGHER SECONDARY SCHOOL TEACHER (ENGLISH)
V.V.M HIGHER SECONDARY SCHOOL, MARAKKARA P.O
MALAPPURAM DISTRICT.**

33. SHILAJA K.S
HIGHER SECONDARY SCHOOL TEACHER (POLITICAL SCIENCE)
V.V.M HIGHER SECONDARY SCHOOL, MARAKKARA P.O
MALAPPURAM DISTRICT.
34. SUCHITRA K
HIGHER SECONDARY SCHOOL TEACHER (ECONOMICS)
V.V.M HIGHER SECONDARY SCHOOL, MARAKKARA P.O
MALAPPURAM DISTRICT.
35. NOORUDDEEN P.E
HIGHER SECONDARY SCHOOL TEACHER (HISTORY)
D.U HIGHER SECONDARY SCHOOL, PANAKKAD
PATTERKADAVU P.O, MALAPPURAM DISTRICT.
36. PAUL K.J
HIGHER SECONDARY SCHOOL TEACHER (ENGLISH)
D.U HIGHER SECONDARY SCHOOL, PANAKKAD
PATTERKADAVU P.O, MALAPPURAM DISTRICT.
37. MOHAMMED RASIB T.K
HIGHER SECONDARY SCHOOL TEACHER (ECONOMICS)
D.U HIGHER SECONDARY SCHOOL, PANAKKAD
PATTERKADAVU P.O, MALAPPURAM DISTRICT.
38. NUHMAN SHIBLI C.A
HIGHER SECONDARY SCHOOL TEACHER (MATHEMATICS)
D.U HIGHER SECONDARY SCHOOL, PANAKKAD
PATTERKADAVU P.O, MALAPPURAM DISTRICT.
39. AHAMED JABIR M
HIGHER SECONDARY SCHOOL TEACHER (PHYSICS)
D.U HIGHER SECONDARY SCHOOL, PANAKKAD
PATTERKADAVU P.O, MALAPPURAM DISTRICT.
40. SUMITHA K
HIGHER SECONDARY SCHOOL TEACHER (SOCIOLOGY)
D.U HIGHER SECONDARY SCHOOL, PANAKKAD
PATTERKADAVU P.O, MALAPPURAM DISTRICT.
41. USMAN KOYA KAPPAN
HIGHER SECONDARY SCHOOL TEACHER (CHEMISTRY)
D.U HIGHER SECONDARY SCHOOL, PANAKKAD
PATTERKADAVU P.O, MALAPPURAM DISTRICT.
42. MAJEESH KUMAR V.K
HIGHER SECONDARY SCHOOL TEACHER (POLITICAL SCIENCE)
S.M.M HIGHER SECONDARY SCHOOL, RAYIRIMANGALAM
TANUR P.O, MALAPPURAM DISTRICT.
43. SHAMSUDHEEN VALPARAMBIL
HIGHER SECONDARY SCHOOL TEACHER (ENGLISH)
S.M.M HIGHER SECONDARY SCHOOL, RAYIRIMANGALAM
TANUR P.O, MALAPPURAM DISTRICT.
44. BEENA K
HIGHER SECONDARY SCHOOL TEACHER (SOCIOLOGY)
S.M.M HIGHER SECONDARY SCHOOL, RAYIRIMANGALAM

TANUR P.O, MALAPPURAM DISTRICT.

- 45. RASIYA A.K**
HIGHER SECONDARY SCHOOL TEACHER (CHEMISTRY)
S.M.M HIGHER SECONDARY SCHOOL, RAYIRIMANGALAM
TANUR P.O, MALAPPURAM DISTRICT.
- 46. SIVARAMAKRISHNAN P**
HIGHER SECONDARY SCHOOL TEACHER (MATHEMATICS)
S.M.M HIGHER SECONDARY SCHOOL, RAYIRIMANGALAM
TANUR P.O, MALAPPURAM DISTRICT.
- 47. ANJU P. VARGHESE**
HIGHER SECONDARY SCHOOL TEACHER (PHYSICS)
S.M.M HIGHER SECONDARY SCHOOL, RAYIRIMANGALAM
TANUR P.O, MALAPPURAM DISTRICT.
- 48. AJEESH KUMAR K**
HIGHER SECONDARY SCHOOL TEACHER (HISTORY)
S.M.M HIGHER SECONDARY SCHOOL, RAYIRIMANGALAM
TANUR P.O, MALAPPURAM DISTRICT.
- 49. KURIAN M.M**
HIGHER SECONDARY SCHOOL TEACHER (ECONOMICS)
ST.GEORGE HIGHER SECONDARY SCHOOL, KULATHUVAYAL
KOZHIKODE DISTRICT.
- 50. KAVITHA M.M**
HIGHER SECONDARY SCHOOL TEACHER (CHEMISTRY)
VARAKKAD HIGHER SECONDARY SCHOOL, VARAKKAD
KOTTAMALA P.O, NILESWAR, KASARGOD DISTRICT.
- 51. SHIJI GEORGE**
HIGHER SECONDARY SCHOOL TEACHER (SOCIOLOGY)
VARAKKAD HIGHER SECONDARY SCHOOL, VARAKKAD
KOTTAMALA P.O, NILESWAR, KASARGOD DISTRICT.
- 52. LASITHA K**
HIGHER SECONDARY SCHOOL TEACHER (MATHEMATICS)
V.I.M HIGHER SECONDARY SCHOOL, PALLASANA
PALAKKAD DISTRICT.
- 53. SREEDEVI K**
HIGHER SECONDARY SCHOOL TEACHER (CHEMISTRY)
V.I.M HIGHER SECONDARY SCHOOL, PALLASANA
PALAKKAD DISTRICT.
- 54. LUXY V.D**
HIGHER SECONDARY SCHOOL TEACHER (ENGLISH)
V.I.M HIGHER SECONDARY SCHOOL, PALLASANA
PALAKKAD 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 NAGAR, THIRUVANANTHAPURAM 695 001.
3. REGIONAL DEPUTY DIRECTOR OF EDUCATION
REGIONAL OFFICE, MALAPPURAM 670 030.
4. REGIONAL DEPUTY DIRECTOR OF EDUCATION
REGIONAL OFFICE, KOZHIKODE 676 002.
5. REGIONAL DEPUTY DIRECTOR OF EDUCATION
REGIONAL OFFICE, KANNUR 670 001.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1. COPY OF G.O(MS)NO.128/2010/G.EDN DATED 20.7.2010 ISSUED BY THE
IST RESPONDENT.**

EXHIBIT P2. COPY OF G.O(MS)NO.211/2011/G.EDN DATED 24.10.11.

EXHIBIT P3. COPY OF GO(MS)76/2013/G.EDN DATED 23.2.13.

EXHIBIT P4. COPY OF GO(MS)NO.261/2001/G.EDN DATED 17.8.01.

EXHIBIT P5. COPY OF G.O(MS)NO.466/05/G.EDN DATED 31.12.05.

EXHIBIT P6. COPY OF G.O(MS)NO.28/2007.G.EDN DATED 7.2.07.

EXHIBIT P7. COPY OF THE JUDGMENT DATED 19.9.14 IN WPC 20849/13.

RESPONDENT(S)' EXHIBITS

NIL

// True copy //

PA to Judge

das

A.K.JAYASANKARAN NAMBIAR, J.

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W.P.(C). No. 17120 of 2015

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Dated this the 9th day of June, 2015

JUDGMENT

The issue involved in the writ petition is squarely covered by Ext.P7 judgment of this Court. Accordingly, the writ petition is allowed, by holding that Ext.P3 Government Order, in its application to the petitioners, shall have effect from the commencement of the academic year 2011-2012 and subject to a physical verification as to whether the petitioners stood qualified for the post of HSST in terms of Rule 1 D of Chapter XXXII of the KER.

Sd/-

A.K.JAYASANKARAN NAMBIAR
JUDGE