

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 10TH DAY OF JUNE 2015/20TH JYAISHTA, 1937

WP(C).No. 17242 of 2015 (E)

PETITIONER(S):

**1.SATHYADEVAN T.M.,S/O.KRISHNAN,
AGED 33 YEARS, HSST (JR.), PHYSICS,
RNM HIGHER SECONDARY SCHOOL, NARIPPATTA,
CHEEKKONNUMMAL WEST POST, KOZHIKODE,
KERALA. PIN 673 508.**

**2.SIJU GR, S/O.RAGHAVAN,
AGED 35 YEARS, HSST (JR), POLITICAL SCIENCE,
RNM HIGHER SECONDARY SCHOOL, NARIPATTA,
CHEEKKONNUMMAL WEST POST, KOZHIKODE,
KERALA. PIN 673508.**

**3.VASUDHA PP, W/O.SUNIL
AGED 38 YEARS, HSST (JR), HINDI
RNM HIGHER SECONDARY SCHOOL, NARIPATTA,
CHEEKKONNUMMAL WEST POST, KOZHIKODE,
KERALA. PIN 673508.**

**4.LISA PP, W/O.SASI,
AGED 35 YEARS, HSST (JR) BOTANY
RNM HIGHER SECONDARY SCHOOL, NARIPATTA,
CHEEKKONNUMMAL WEST POST, KOZHIKODE,
KERALA. PIN 673508.**

**5.PRAJISH MADATHIL, S/O.GOPALAN NAMBIAR,
AGED 35 YEARS, HSST (JR), ECONOMICS,
RNM HIGHER SECONDARY SCHOOL, NARIPPATTA,
CHEEKKONNUMMAL WEST POST, KOZHIKODE,
KERALA. PIN 673508.**

**6.IDA SEBASTIAN, W/O.ANU ABRAHAM
AGED 31 YEARS, HSST (JR), JOURNALISM,
ST. MARY'S HIGHER SECONDARY SCHOOL, KOODATHAYI,
KOODATHAI BAZAR POST, KOZHIKODE, KERALA PIN 673573.**

**7.HAREESH PS, S/O.PADMANABHAN
AGED 33 YEARS, HSST (JR), PHYSICS,
ST.MARY'S HIGHER SECONDARY SCHOOL, KOODATHAYI,
KOODATHAI BAZAR POST, KOZHIKODE, KERALA 673573.**

**8.DEEPA GEORGE, W/O.MANEESH MATHEW,
AGED 35 YEARS, HSST (JR), ENGLISH
ST.MARY'S HIGHER SECONDARY SCHOOL, KOODATHAYI,
KOODATHAI BAZAR POST, KOZHIKODE, KERALA 673573.**

**9.BINDU M RAJAN, W/O.JAISON PAULOSE,
AGED 37 YEARS, HSST (JR), SOCIOLOGY,
ST.MARY'S HIGHER SECONDARY SCHOOL, KOODATHAYI,
KOODATHAI BAZAR POST, KOZHIKODE, KERALA 673573.**

**10.SMT.DIANA JACOB, W/O.BIJU MATHEW,
AGED 37 YEARS, HSST (JR), BOTANY,
ST.MARY'S HIGHER SECONDARY SCHOOL, KOODATHAYI,
KOODATHAI BAZAR POST, KOZHIKODE, KERALA 673573.**

**11.SMITHA AUGUSTINE, W/O.JOJI LUKA
AGED 37 YEARS, HSST (JR), HINDI,
ST.MARY'S HIGHER SECONDARY SCHOOL, KOODATHAYI,
KOODATHAI BAZAR POST, KOZHIKODE, KERALA 673573.**

**12.SMT.SHANI RAJAN.P., W/O.VIJESH,
AGED 31 YEARS, HSST (JR), COMPUTER APPLICATION,
ST.MARY'S HIGHER SECONDARY SCHOOL, KOODATHAYI,
KOODATHAI BAZAR POST, KOZHIKODE, KERALA 673573.**

**13.SMT.JISHA MATHEW, W/O.JAISON MATHEW
AGED 37 YEARS, HSST (JR), MATHEMATICS,
ST.MARY'S HIGHER SECONDARY SCHOOL, KOODATHAYI,
KOODATHAI BAZAR POST, KOZHIKODE, KERALA 673573.**

**14.PREETHA VP, W/O.RANISH
AGED 34 YEARS, HSST (JR), ZOOLOGY,
ST.MARY'S HIGHER SECONDARY SCHOOL, KOODATHAYI,
KOODATHAI BAZAR POST, KOZHIKODE, KERALA 673573.**

**15.SIBI EMMANUEL P, S/O.EMMANUEL
AGED 42 YEARS, HSST (JR), MALAYALAM,
ST.MARY'S HIGHER SECONDARY SCHOOL, KOODATHAYI,
KOODATHAI BAZAR POST, KOZHIKODE, KERALA 673573.**

**16.DEEPA R, W/O.GOVINDAN,
AGED 39 YEARS, HSST (JR), BOTANY,
AJ JOHN MEMORIAL HIGHER SECONDARY SCHOOL,
CHATHANKOTTUNADA POST, KOZHIKODE, KERALA 673513.**

**17.SAJINI THERESA MATHEW, D/O.MATHEW
AGED 32 YEARS, HSST (JR), MATHS,
AJ JOHN MEMORIAL HIGHER SECONDARY SCHOOL,
CHATHANKOTTUNADA POST, KOZHIKODE, KERALA 673513.**

**18.BIJEESH B, S/O.BALA KURUP
AGED 36 YEARS, HSST (JR), SOCIOLOGY,
AJ JOHN MEMORIAL HIGHER SECONDARY SCHOOL,
CHATHANKOTTUNADA POST, KOZHIKODE, KERALA 673513.**

**19.SABITHA AP, W/O.SHIJITH
AGED 31 YEARS, HSST (JR), CHEMISTRY,
AJ JOHN MEMORIAL HIGHER SECONDARY SCHOOL,
CHATHANKOTTUNADA POST, KOZHIKODE, KERALA 673513.**

**20.GREESHMA TC, W/O.SHANEESH
AGED 32 YEARS, HSST (JR), ZOOLOGY,
AJ JOHN MEMORIAL HIGHER SECONDARY SCHOOL,
CHATHANKOTTUNADA POST, KOZHIKODE, KERALA 673513.**

**21.DEEPTHI SEBASTIAN, W/O.BIJO K BABY
AGED 32 YEARS, HSST (JR), POLITICAL SCIENCE,
AJ JOHN MEMORIAL HIGHER SECONDARY SCHOOL,
CHATHANKOTTUNADA POST, KOZHIKODE, KERALA 673513.**

**22.PRABEESH SEBASTIAN, S/O.SEBASTIAN,
AGED 36 YEARS, HSST (JR), ECONOMICS,
AJ JOHN MEMORIAL HIGHER SECONDARY SCHOOL,
CHATHANKOTTUNADA POST, KOZHIKODE, KERALA 673513.**

**23.SHIBIN MATHEW, S/O.MATHEW,
AGED 32 YEARS, HSST (JR), PHYSICS,
AJ JOHN MEMORIAL HIGHER SECONDARY SCHOOL,
CHATHANKOTTUNADA POST, KOZHIKODE, KERALA 673513.**

**24.SHEEJA K, W/O.VENU,
AGED 41 YEARS, HSST (JR), HINDI,
AJ JOHN MEMORIAL HIGHER SECONDARY SCHOOL,
CHATHANKOTTUNADA POST, KOZHIKODE, KERALA 673513.**

**25.KAVITHA K, W/O.SUDHEER KUMAR,
AGED 37 YEARS, HSST (JR), MATHEMATICS,
RNM HIGHER SECONDARY SCHOOL, NARIPPATTA,
CHEEKKONNUMMAL WEST POST, KOZHIKODE, KERALA 673508.**

**BY ADVS.SRI.K.K.BALAKRISHNAN (KODIYURA)
SRI.K.R.AVINASH (KUNNATH)
SRI.ABDUL RAOOF PALLIPATH**

RESPONDENT(S):

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

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

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

W.P.(C).NO.17242/2015

**4.THE MANAGER,
RNM HIGHER SECONDARY SCHOOL, NARIPPATTA,
CHEEKKONNUMMAL WEST POST, VATAKARA THALUK,
KOZHIKODE, KERALA PIN 673 508.**

**5.THE MANAGER,
ST.MARY'S HIGHER SECONDARY SCHOOL, KOODATHAYI,
KOODATHAYI BAZAR POST, KOZHIKODE, KERALA. PIN 673 573.**

**6.THE MANAGER,
AJ JOHN MEMMORIAL HIGHER SECONDARY SCHOOL,
CHATHANKOTTUNADA, CHATHANKOTTUNADA POST,
KOZHIKODE, KERALA PIN 673 513.**

R BY GOVERNMENT PLEADER SMT.M.J.RAJASHREE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
10-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE ORDER NO.A2/13980/2011(A) ISSUED BY 3RD RESPONDENT DATED 12.09.2012.

EXT.P2: COPY OF THE ORDER NO.A2/13980/2011(B) ISSUED BY 3RD RESPONDENT DATED 12.09.2012.

EXT.P3: COPY OF THE ORDER NO.A2/13980/2011(G) ISSUED BY 3RD RESPONDENT DATED 12.09.2012.

EXT.P4: COPY OF THE ORDER NO.A2/13980/2011(C) ISSUED BY 3RD RESPONDENT DATED 12.09.2012.

EXT.P5: COPY OF THE ORDER NO.A2/13980/2011(E) ISSUED BY 3RD RESPONDENT DATED 12.09.2012.

EXT.P6: COPY OF THE ORDER NO.A3/14015/2011(7) ISSUED BY 3RD RESPONDENT DATED 12.09.2012.

EXT.P7: COPY OF THE ORDER NO.A3/14015/2011(1) ISSUED BY 3RD RESPONDENT DATED 12.09.2012.

EXT.P8: COPY OF THE ORDER NO.A3/14015/2013 ISSUED BY 3RD RESPONDENT DATED 05.11.2013.

EXT.P9: COPY OF THE ORDER NO.A3/134015/2011(6) ISSUED BY 3RD RESPONDENT DATED 12.09.2012.

EXT.P10: COPY OF THE ORDER NO.A3/14015/2011(2) ISSUED BY 3RD RESPONDENT DATED 12.09.2012.

EXT.P11: COPY OF THE ORDER NO.A3/14015/2011(4) ISSUED BY 3RD RESPONDENT DATED 12.09.2012.

EXT.P12: COPY OF THE ORDER NO.A3/14015/2011(3) ISSUED BY 3RD RESPONDENT DATED 12.09.2012.

EXT.P13: COPY OF THE ORDER NO.A3/14015/2011(9) ISSUED BY 3RD RESPONDENT DATED 12.09.2012.

EXT.P14: COPY OF THE ORDER NO.A3/14015/2011 ISSUED BY 3RD RESPONDENT DATED 2.04.2012.

EXT.P15: COPY OF THE ORDER NO.A1/13969/2011 ISSUED BY 3RD RESPONDENT DATED 15.06.2012.

W.P.(C).NO.17242/2015

**EXT.P16: COPY OF THE ORDER NO.A1/13969/2011 ISSUED BY 3RD RESPONDENT
DATED 18.5.2012.**

**EXT.P17: COPY OF THE ORDER NO.A2/13980/2011 ISSUED BY 3RD RESPONDENT
DATED 06.06.2012.**

**EXT.P18: COPY OF THE G.O. MS.126/92/G.EDN ISSUED BY 1ST RESPONDENT
DATED 17.06.1992.**

RESPONDENTS EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.17242 OF 2015 (E)

Dated this the 10th day of June, 2015

J U D G M E N T

The issue involved in this writ petition is squarely covered in favour of the petitioner by the judgment dated 4.12.2014 in W.P.(C). No.11048/2014. Accordingly, Exts.P1 to P17 orders, to the extent they contemplate, either in the order itself or through an interpretation to that effect by the respondents, that the candidate in question is not entitled to vacation salary in the year 2012, in terms of Rule 49 of Chapter XIVA of the Kerala Education Rules, shall stand quashed. The respondents shall take immediate steps to disburse the vacation salary that is due and payable in favour of the petitioners in the writ petition within a period of three months from the date of receipt of a copy of this judgment.

The writ petition is disposed as above.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp