

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

WP(C).No. 17868 of 2015 (G)

PETITIONER(S):

**S. SAVIN AGED 40 YEARS
SON OF P.K.SUKUMARAN, STAFF SECRETARY
M K N HIGHER SECONDARY SCHOOL, KUMARAMANGALAM
P.O.THODUPUZHA, IDUKKI-685 608.**

**BY ADVS.SRI.V.A.MUHAMMED
SRI.V.RAJASEKHARAN NAIR**

RESPONDENT(S):

- 1. THE STATE OF KERALA
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM-695 001.**
- 2. THE DIRECTOR OF PUBLIC INSTRUCTIONS
JAGATHY, THIRUVANANTHAPURAM-695 014.**
- 3. THE DEPUTY DIRECTOR OF EDUCATION
IDUKKI AT THODUPUZHA-685 584.**
- 4. THE DISTRICT EDUCATIONAL OFFICER
THODUPUZHA, IDUKKI DISTRICT. 685 584.**
- 5. THE MANAGER
ST.RITA'S HIGH SCHOOL, MYLACOMP, THODUPUZHA
IDUKKI DISTRICT-685 584.**

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
24-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 17868 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT. P1- TRUE COPY OF THE JOINT MEMORANDUM SUBMITTED BEFORE THE
GOVERNMENT DATED 26.05.2015 WITHOUT ANNEXURE.**

**EXT. P2- TRUE COPY OF THE STAY PETITION FILED ALONG WITH EXHIBIT P1
DATED 26.05.2015.**

RESPONDENT(S)' EXHIBITS

NIL

// True copy //

PA to Judge

das

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 17868 of 2015

Dated this the 24th day of June, 2015

JUDGMENT

The petitioner, who is the Staff Secretary of MKNM Higher Secondary School, Kumaramangalam, is aggrieved by the shifting of the St.Rita's High School, Mylacom in Thodupuzha, to Painkulam in Thodupuzha. It is the case of the petitioner that earlier, the 5th respondent School was functioning as a Girls High School and thereafter it was shifted from the location at Painkulam to the location at Mylacom, where it was functioning as a mixed school. Thereafter, the 5th respondent has taken steps to get the school shifted back to Painkulam, in which event, it will prejudice the interest of the petitioner, since there will be two mixed schools in immediate proximity of each other, when there is no educational need to accommodate both the schools. In connection with the said grievance, the petitioner has preferred Ext.P1 representation, together with Ext.P2 stay petition before the 1st respondent. The limited prayer in the writ petition is for a direction to the 1st respondent to consider and pass orders on Ext.P2 stay petition, expeditiously.

2. I have heard Sri.V.A.Muhammed, the learned counsel 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 Ext.P2 stay petition, within a period of three weeks from the date of receipt of a copy of this judgment, after hearing the petitioner and the 5th respondent. The petitioner shall produce a copy of the writ petition together a copy of this judgment before the 1st respondent, for further action.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

das