

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

WP(C).NO. 17904 OF 2015 (K)

PETITIONER(S):

SAJEEV DAVIS K.S. AGED 46 YEARS
S/O.K.L.DEVASSY, HSA (MATHS),
ST.JOSEPHS H.S, MELOOR, THRISSUR DISTRICT

BY ADV. SRI.SHERRY J. THOMAS

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695001
2. THE DIRECTOR OF PUBLIC INSTRUCTIONS
JAGATHY, THIRUVANANTHAPURAM-695001
3. DISTRICT EDUCATIONAL OFFICER, IRINJALAKKUDA-680121
4. THE CORPORATE MANAGER,
ARCHDIOCESAN CORPORATE EDUCATIONAL AGENCY,
ARCHDIOCESE OF ERNAKULAM-ANGAMALY,
RENEWAL CENTRE, KALOOR, KOCHI-17

BY GOVERNMENT PLEADER SMT.M.J.RAJASREE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
15-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE PETITION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT ON 6.4.2010

EXT.P2: TRUE COPY OF THE MASS PETITION SUBMITTED BEFORE THE 2ND RESPONDENT

EXT.P3: TRUE COPY OF THE EARLIER TRANSFER ORDER DATED 3.6.2014

EXT.P4: TRUE COPY OF THE IMPUGNED TRANSFER ORDER DATED 10.06.2015

EXT.P5: TRUE COPY OF THE SENIORITY LIST OF THE 4TH RESPONDENT CORPORATE MANAGEMENT

EXT.P6: TRUE COPY OF THE APPEAL FILED BEFORE THE 2ND RESPONDENT

EXT.P7: TRUE COPY OF THE REQUEST SENT BY THE PRESIDENT OF PANCHAYATH DATED 12.6.2015 TO THE 4TH RESPONDENT

EXT.P8: THE TRUE COPY OF THE REQUEST GIVEN BY PTA COMMITTEE TO THE 4TH RESPONDENT.

RESPONDENTS' EXHIBITS: NIL

//TRUE COPY//

P A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.17904 of 2015

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Dated this the 15th day of June, 2015

J U D G M E N T

The petitioner, who is working as an H.S.A in the School under the management of the 4th respondent, is aggrieved by Ext.P4 order of transfer that was served on him, transferring him from Meloor to Aluva. Ext.P4 order is dated 10.06.2015 and the petitioner has challenged the said order through an appeal before the 2nd respondent. The limited prayer of the petitioner in the writ petition is for a direction to the 2nd respondent to consider and pass orders on Ext.P6 appeal within a time frame, and to keep in abeyance the order of transfer in the meanwhile.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

On a consideration of the facts and circumstances of the case as also the submissions made across the bar, I dispose the writ petition with a direction to the 2nd respondent to consider and pass orders on Ext.P6 appeal preferred by the petitioner, within a period of two weeks from the date of receipt of a copy of this judgment, after hearing the petitioner and the 4th respondent. I make it clear that, till such time as orders are passed by the 2nd

respondent as directed, and communicated to the petitioner, the operation of Ext.P4 order as regards the petitioner shall be kept in abeyance. The petitioner is directed to produce a copy of the writ petition, along with the copy of this judgment, before the 2nd respondent for further action.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns