

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR**

**FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937**

**WP(C).No. 17951 of 2015 (T)**  
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**PETITIONER(S):**  
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**JAI.M.THOMAS AGED 38 YEARS  
HIGH SCHOOL ASSISTANT MALAYALAM  
M.E.S. HIGHER SECONDARY SCHOOL, MANNARKKAD  
MANNARKKAD COLLEGE P.O.  
PALAKKAD-678 583.RESIDING AT MATTAPPALLIL  
MANNARKKAD COLLEGE P.O., PALAKKAD-678 583.**

**BY ADVS.SMT.M.R.SREELATHA  
SRI.YJAFAR KHAN**

**RESPONDENT(S):**  
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- 1. THE STATE OF KERALA  
REPRESENTED BY ITS SECRETARY  
DEPARTMENT OF GENERAL EDUCATION  
THIRUVANANTHPAURAM-695 001.**
- 2. THE DISTRICT EDUCATIONAL OFFICER  
MANNARKKAD, PALAKKAD DISTRICT-678 582.**
- 3. CORPORATE MANAGER  
M.E.S. SCHOOLS, M.E.S. OFFICE, BANK ROAD  
CALICUT-673 001.**
- 4. HEADMISTRESS  
M.E.S. HIGHER SECONDARY SCHOOL  
MANNARKKAD COLLEGE P.O., PALAKKAD DISTRICT-678 583.**

**R BY SRI.BABU KARUKAPADATH  
R BY GOVERNMENT PLEADER, SMT. LOUSY .A  
R BY SMT.M.A.VAHEEDA BABU**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
26-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1. TRUE COPY OF THE ORDER NO.1467/04(6) DATED 7/10/2004 OF THE 3RD RESPONDENT
- EXT.P2. TRUE COPY OF THE VISA ISSUED TO THE WIFE AND CHILDREN OF THE PETITIONER
- EXT.P3. TRUE COPY OF THE APPLICATION DATED 20/4/2015 SUBMITTED BY THE PETITIONER TO THE HEADMISTRESS OF THE SCHOOL
- EXT.P4. TRUE COPY OF THE LETTER DATED 20/4/2015 SUBMITTED BY THE PETITIONER BEFORE THE HEADMISTRESS
- EXT.P5. TRUE COPY OF THE LETTER DATED 20/4/2015 SUBMITTED BY THE PETITIONER BEFORE THE MANAGER
- EXT.P6. TRUE COPY OF THE RECEIPT SHOWING THE RECEIPT OF LEAVE APPLICATION BY THE HEADMISTRESS DATED 20/4/2015.
- EXT.P7. TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER TO THE HEADMISTRESS DATED 13/5/2015 UNDER RIGHT TO INFORMATION ACT.
- EXT.P7(A). TRUE COPY OF THE REPLY RECEIVED FROM THE HEADMISTRESS TO THE PETITIONER DATED 4/6/2015.
- EXT.P8. TRUE COPY OF THE CIRCULAR DATED 22/11/2014 ISSUED BY MUSLIM EDUCATIONAL SOCIETY, CALICUT.
- EXT.P9. TRUE COPY OF THE JUDGMENT DATED 9/7/2014 IN WPC NO.17009/2014 PASSED BY THIS HON'BLE COURT.
- EXT.P10. TRUE COPY OF THE JUDGMENT DATED 8/10/2014 IN WA NO.1375/2014 PASSED BY THIS HON'BLE COURT.
- EXT.P11. TRUE COPY OF THE JUDGMENT DATED 20/12/2014 IN WPC NO.29350/2014 PASSED BY THIS HON'BLE COURT.
- EXT.P12. TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE D.E.O DATED 5/6/2015.
- EXT.P12(A). TRUE COPY OF THE POSTAL RECEIPT DATED 5/6/2015.
- EXT.P13. TRUE COPY OF THE CIRCULAR NO.25218/J2/99/G.EDN. DATED 21/5/1999 ISSUED BY THE GOVERNMENT OF KERALA, GENERAL EDUCATION (J) DEPARTMENT
- EXT.P14. TRUE COPY OF THE CERTIFICATE ISSUED BY THE HEADMISTRESS OF THE SCHOOL DATED 26/3/2015.

RESPONDENT(S)' EXHIBITS

nil

// True copy //

**A.K.JAYASANKARAN NAMBIAR, J.**

**W.P.(C). No. 17951 of 2015**

**Dated this the 26<sup>th</sup> day of June, 2015**

**JUDGMENT**

The petitioner, who is an aided school teacher, had submitted a leave application for joining his wife, who is working in United Arab Emirates. The grievance of the petitioner in the writ petition is essentially that, while the petitioner had submitted his leave application, through proper channel, to the 4<sup>th</sup> respondent Head Mistress and the 3<sup>rd</sup> respondent Manager, the 3<sup>rd</sup> respondent Manager has not taken any steps to forward the leave application to the 2<sup>nd</sup> respondent, for onward transmission to the 1<sup>st</sup> respondent, who is the leave sanctioning authority. It is under these circumstances that the petitioner has approached this Court seeking a direction to the authorities to process the leave application expeditiously.

2. I have heard the learned counsel for the petitioner, the learned Standing Counsel for respondents 3 and 4 and the learned Government Pleader for respondent 1 and 2.

On a consideration of the facts and circumstances of the case and the submissions made across the bar, and taking note of the submission of the learned Standing Counsel for the 3<sup>rd</sup> and 4<sup>th</sup>

respondents that the application preferred by the petitioner has since been forwarded to the Office of the 2<sup>nd</sup> respondent, I dispose the writ petition with a direction to the 1<sup>st</sup> and 2<sup>nd</sup> respondents to ensure that the application of the petitioner for leave, which has been forwarded to them by the 3<sup>rd</sup> respondent, is processed, and a decision taken thereon, within a period of two weeks from the date of receipt of a copy of this judgment.

Sd/-  
**A.K.JAYASANKARAN NAMBIAR**  
**JUDGE**