

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

**PRESENT:**

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

**FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937**

**WP(C).No. 18447 of 2015 (E)**  
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**PETITIONER(S):**  
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**M.R.MINI AGED 49 YEARS,  
W/O. K.N. SATISH, HIGH SCHOOL ASSISTANT (SOCIAL SCIENCE)  
MUSLIM HIGHER SECONDARY SCHOOL, KANGAZHA  
KOTTAYAM DISTRICT**

**BY ADVS.SRI.V.A.MUHAMMED  
SRI.M.SAJJAD  
SRI.S.RANJIT (KOTTAYAM)**

**RESPONDENT(S):**  
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- 1. THE STATE OF KERALA, REPRESENTED BY ITS  
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,  
KOTTAYAM DISTRICT - 686 001**
- 4. THE DISTRICT EDUCATIONAL OFFICER,  
KANJIRAPPILLY, KOTTAYAM DISTRICT- 686 507**
- 5. THE MANAGER, MUSLIM HIGHER SECONDARY SCHOOL  
KANGAZHA, KOTTAYAM DISTRICT - 686 541**
- 6. SMT. A.V. HASEENA BEEGAM, HEADMISTRESS (NOT APPROVED)  
MUSLIM HIGHER SECONDARY SCHOOL, KANGAZHA  
KOTTAYAM DISTRICT 686 541**

**R BY GOVERNMENT PLEADER, SMT. LOUSY A.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
19-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**WP(C).No. 18447 of 2015 (E)**  
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**APPENDIX**

**PETITIONER'S EXHIBITS:-**  
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- EXHIBIT P1    TRUE COPY OF THE APPLICATION OF THE PETITIONER BEFORE THE  
MANAGER DATED 02.03.2015.**
- EXHIBIT P2    TRUE COPY OF THE FORWARDING LETTER OF THE HEADMISTRESS  
DATED 02.03.2015.**
- EXHIBIT P3    TRUE COPY OF THE REPRESENTATION SUBMITTED BEFORE THE 4TH  
RESPONDENT DATED 03.06.2005.**

**RESPONDENT(S)' EXHIBITS**  
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**NIL**

// True copy //

PA to Judge

das

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

**W.P.(C). No. 18447 of 2015**

**Dated this the 19<sup>th</sup> day of June, 2015**

**JUDGMENT**

The petitioner, who is working as HSA (Social Science) in the school under the management of the 5<sup>th</sup> respondent, is aggrieved by the action of the respondent Manager, in appointing the 6<sup>th</sup> respondent as the Head Mistress, overlooking the claim of the petitioner for appointment to the same post. In the writ petition, what is sought for, is a direction to the 4<sup>th</sup> respondent, before whom the issue of approval to the appointment of the 6<sup>th</sup> respondent is pending consideration, to consider the objections of the petitioner in Ext.P3 representation, prior to taking a decision with regard to the approval to the appointment of the 6<sup>th</sup> respondent.

2. I have heard the learned counsel for the petitioner as 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 4<sup>th</sup> respondent to consider and pass orders on Ext.P3 representation, while taking a decision in the matter of approval to the appointment of 6<sup>th</sup> respondent as Head Mistress of the School under the management of the 5<sup>th</sup>

respondent, within a period of two months from the date of receipt of a copy of this judgment. The 4<sup>th</sup> respondent shall hear the petitioner as well as the 5<sup>th</sup> and 6<sup>th</sup> respondents before passing orders as directed in this judgment. The petitioner shall produce a copy of this writ petition together with a copy of this judgment before the 4<sup>th</sup> respondent for further action.

sd/-

**A.K.JAYASANKARAN NAMBIAR**  
**JUDGE**

das