IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

WP(C).No. 22213 of 2012 (B)

PETITIONER(S):

BINDU KUZHIVELIL AGED 29 YEARS
W/O JOBIN, UPPER PRIMARY SCHOOL ASSISTANT
MAR STEPHEN VOCATIONAL HIGHER SECONDARY SCHOOL VALAKOM
MUVATTUPPUZHA

BY ADVS.SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENT(S):

1. THE STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT, SECRETARIAT
THIURVANANTHAPURAM 695001

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
JAGATHY, THIRUVANANTHAPURAM 695014

3. THE DEPUTY DIRECTOR OF EDUCATION
ERNAKULAM AT KAKKANAD, KOCHI 682030

4. THE DISTRICT EDUCATIONAL OFFICE,
MUVATTUPUZHA, ERNAKULAM DISTRICT 686661

5. THE MANAGER,
SCHOOLS OF THE EVANGELISTIC ASSOCIATION OF THE EAST
PERUMBAVOOR
P.O, IRINGOLE, 683548
ERNAKULAM DSTRICT

R1 BY ADV. GOVERNMENT PLEADER : ADV.SMT.RAJASREE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS :

EXT. P1 TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER (ORDER NO 52/2007-2008 OF THE MANAGER DATED 01-01-2008)

EXT. P2 TRUE COPY OF THE ORDER NO B2/406/08/K. DIS OF THE 4TH RESPONDENT DATED 11-02-2009

EXT. P3 TRUE COPY OF THE ORDER NO B4/5631/09/K. DIS OF THE DEPUTY DIRECTOR DATED 24-08-2009

EXT. P4 TRUE COPY OF THE ORDER NO EC (3)/12226/010/DPI/ K. DIS OF THE 2ND RESPONDENT DATED 05-03-2010

EXT. P5 TRUE COPY OF THE REVISION PETITION FILED BY THE MANAGER BEFORE THE GOVERNMENT DATED 21-04-2010

EXT. P6 TRUE COPY OF THE REVISION PETITION FILED BY THE PETITIONER BEFORE THE GOVERNMENT DATED 10-03-2011

EXT. P7 TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER DATED 01-06-2011

EXT. P8 TRUE COPY OF THE JUDGMENT IN WPC NO 487 OF 2012- I DATED 06-01-2012

EXT. P9 TRUE COPY OF THE G.O (RT) NO 3022/2012 G, EDN, DATED 27-06-2012 OF THE GOVERNMENT

EXT. P10 TRUE COPY OF THE ORDER NO EC (3)/50322/DPI/K. DIS DATED 02-02-2010 OF THE 2ND RESPONDENT

EXT. P11 TRUE COPY OF THE REVISION FILED BEFORE THE GOVERNMENT DATED 1-3-2010

EXT. P12 TRUE COPY OF THE ORDER NO B2/2544/2011/K. DIS DATED 30-04-2012 OF THE DISTRICT EDUCATIONAL OFFICER

EXT. P13 TRUE COPY OF THE REVISION FILED BEFORE THE GOVERNMENT DATED 11-06-2012

EXT. P14 TRUE COPY OF THE LETTER NO 33967/L3/2012/G. EDN DATED 22-08-2010 OF THE GOVERNMENT

EXT P15 TRUE COPY OF THE APPOINTMENT ORDER OF SMT.JINU ALIAS DATED 01.06.2010

RESPONDENTS' EXHIBITS :

ANNEXURE R4(a): TRUE COPY OF THE ORDER ISSUED BY THE DISTRICT EDUCATIONAL OFFICER, KOTTAYAM

True Copy/

P A to Judge

A.MUHAMED MUSTAQUE, J.

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W.P(C).No.22213 of 2012

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Dated this the 10th day of April, 2015

JUDGMENT

Petitioner approached the Government for a direction to consider and pass appropriate orders on Exts.P5 and P6 afresh along with Exts.P11 and P13 after affording an opportunity of being heard. By Ext.P14 Government order, first respondent has directed the Director of Public Instruction to take a decision in the matter of approval of appointment of the petitioner.

2. Learned counsel for the petitioner submits that juniors of the petitioner who have been appointed under the Management got approval.

3. In view of pendency of proceedings before the Director of Public Instruction, there shall be a direction to the Director of Public Instruction to consider and pass appropriate orders on Exts.P5 and P6 after affording an opportunity of hearing to the petitioner and other affected persons including Manager within a period of three months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

Sbna/13/04/15