

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937

WP(C).No. 18781 of 2015 (W)

PETITIONER(S):

**JOSHIN POTHEN, AGED 34 YEARS,
SON OF P.KRISHNAN, L.D.CLERK,
AZHIKODE HIGH SCHOOL, P.O.AZHIKODE,
KANNUR DISTRICT.**

**BY ADVS.SRI.V.A.MUHAMMED
SRI.M.SAJJAD**

RESPONDENT(S):

**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 DISTRICT EDUCATIONAL OFFICER,
KANNUR DISTRICT 670 001.**

**4.THE MANAGER
AZHIKODE HIGH SCHOOL, P.O.AZHIKODE,
KANNUR DISTRICT 670 009.**

R BY GOVERNMENT PLEADER SMT.LOWSY.A.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
23-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

W.P.(C).NO.18781/2015

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE APPOINTMENT ORDER DATED 22.2.2010 AND APPROVAL THEREOF.

EXT.P2: COPY OF THE ORDER NO.EM(4) 18277/2014/DPI/K.DIS. DATED 1.9.2014 OF THE ADDL.DIRECTOR.

EXT.P3: COPY OF THE G.O.(RT) NO.5310/2014/G.EDN. DATED 28.11.2014 OF THE GOVERNMENT.

EXT.P4: COPY OF THE ORDER NO.B3/220/2014/K.DIS. DATED 5.7.2014 DIST. EDL. OFFICER, TALIPARAMBA.

EXT.P5: COPY OF THE JUDGMENT IN W.P.(C).NO.9381/2015-W DATED 24.3.2015.

EXT.P6: COPY OF THE REVISION PETITION SUBMITTED BEFORE THE 2ND RESPONDENT DATED 28.05.2015.

RESPONDENTS EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.18781 OF 2015 (W)

Dated this the 23rd day of June, 2015

J U D G M E N T

The petitioner, who was appointed as an L.D. Clerk in Azhikode High School with effect from 22.2.2010, against a retirement vacancy, is aggrieved by the approval that was granted to the appointment, on daily wages with effect from 22.2.2010 to 31.5.2010 and on a scale of pay basis from 1.6.2010 onwards. It is the case of the petitioner that the appointment should have been approved on a regular basis from 22.2.2010 itself. In connection with the said grievance, the petitioner has preferred Ext.P6 representation 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 the said representation, within a stipulated time frame, after hearing the petitioner.

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 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 representation, preferred by the petitioner, within a period of two months from the date of receipt of a copy of this judgment, after hearing the petitioner. The petitioner shall produce a copy of the writ petition as also a copy of this judgment before the 2nd respondent, for further action.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp