

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

WP(C).No. 18826 of 2015 (C)

PETITIONER(S):

**KAVITHA P.NAIR, AGED 28 YEARS
HIGH SCHOOL ASSISTANT (MALAYALAM)
C.A.H.S.S KOYALMANNAM, PALAKKAD DISTRICT.**

BY ADV. SRI.MVS.NAMBOOTHIRY

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM 695 001.**
- 2. THE DEPUTY DIRECTOR OF EDUCATION
PALAKKAD.**
- 3. THE DISTRICT EDUCATIONAL OFFICER
PALAKKAD.**
- 4. THE MANAGER
C.A.H.S.S KOYALMANNAM, PALAKKAD DISTRICT.**
- 5. THE HEADMASTER
C.A.H.S.S KOYALMANNAM, PALAKKAD DISTRICT.**
- 6. THE REGIONAL DEPUTY DIRECTOR
HIGHER SECONDARY EDUCATION, B2 BLOCK, CIVIL STATION
MALAPPURAM.**

R BY GOVERNMENT PLEADER SMT.M.J.RAJASREE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
28-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 18826 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1. COPY OF THE APPOINTMENT ORDER OF THE PETITIONER WITH
APPROVAL ENDORSED BY THE 3RD RESPONDENT.**

**EXHIBIT P2. COPY OF THE PROCEEDINGS DATED 14.11.14 ISSUED BY THE 6TH
RESPONDENT.**

**EXHIBIT P3. COPY OF THE RELEVANT PAGES OF THE AUDIT OBJECTION
ISSUED BY THE 2ND RESPONDENT.**

RESPONDENT(S)' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.18826 OF 2015 (C)

Dated this the 28th day of July, 2015

J U D G M E N T

It is not in dispute in the instant case that the issue involved in the writ petition is squarely covered by the decision of the Supreme Court in **State of Kerala v. Sneha Cheriyan [2013 (1) KLT 755 (SC)]** and of this Court in **Nair Service Society v. State of Kerala [2014 (4) KLT 921]**. Accordingly, Ext.P3 audit objection, as against the petitioner, stands quashed, and it is declared that the approval granted to the appointment of the petitioner as HSA (Malayalam) from 7.12.2010, on scale of pay basis, is legal and valid. The respondents shall disburse the monetary benefits flowing from the said approval, to the petitioner, if not already paid, within a period of three months from the date of receipt of a copy of this judgment.

The writ petition is disposed as above.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp