

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

WP(C).No. 19003 of 2015 (A)

PETITIONER(S):

**ABRAHAM. T.C., S/O.LATE T.V. CHACKO,
THANNICKAL HOUSE, PODIPARA,
ERAVIPEROOR P.O., THIRUVALLA-689 542,
PATHANAMTHITTA, (MANAGER (UNAPPROVED),
ST.JOHN'S EDUCATIONAL AGENCY,
ERAVIPEROOR, THIRUVALLA).**

BY ADV. SRI.S.SUBHASH CHAND.

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF GENERAL EDUCATION,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 2. DIRECTOR OF PUBLIC INSTRUCTIONS,
OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM-695 001.**
- 3. DEPUTY DIRECTOR (EDUCATION),
OFFICE OF THE DEPUTY DIRECTOR (EDUCATION),
PATHANAMTHITTA AT THIRUVALLA-689 101.**
- 4. DISTRICT EDUCATIONAL OFFICER,
OFFICE OF THE DISTRICT EDUCATIONAL OFFICER,
THIRUVALLA-689 101.**

BY GOVT. PLEADER SMT.LOWSY. A.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE CONSTITUTION BYELAWS OF ST.JOHN'S EDUCATIONAL AGENCY PRESENTLY PENDING APPROVAL.
- EXT.P1A COPY OF THE COMMUNICATION DATED 15/07/2010 ISSUED BY RESPONDENT NO.2 TO RESPONDENT NO.4.
- EXT.P2 COPY OF THE PROCEEDINGS DATED 05/04/2011 SUBMITTED BY SRI.K.V. OOMMEN, FORMER MANAGER OF THE SCHOOLS.
- EXT.P3 COPY OF THE MINUTES OF THE BOARD MEETING DATED 15/04/2011.
- EXT.P4 COPY OF THE REQUEST BEFORE RESPONDENT NO.4 DATED 15/12/2011.
- EXT.P4A COPY OF THE APPLICATION SUBMITTED ALONG WITH EXT.P4.
- EXT.P5 COPY OF THE COMMUNICATION DATED 09/02/2012 OF RESPONDENT NO.4.
- EXT.P6 COPY OF THE REQUEST DATED 22/06/2012 SUBMITTED BY PETITIONER BEFORE RESPONDENT NO.2.
- EXT.P7 COPY OF THE CIRCULAR DATED 10/04/2012 ISSUED BY RESPONDENT NO.1.
- EXT.P8 COPY OF THE ORDER DATED 03/12/2012 ISSUED BY RESPONDENT NO.4.
- EXT.P9 COPY OF THE JUDGMENT DATED 19/02/2013 PASSED BY THIS HONOURABLE COURT IN WP(C).NO.4729/2013.
- EXT.P10 COPY OF THE ORDER BEARING NO.ET3/34596/13/DPI/K.DIS. DATED 24/06/2013.
- EXT.P11 COPY OF THE REPRESENTATION DATED 30/04/2014 SUBMITTED BY THE SECRETARY, MANAGING BOARD OF ST. JOHN'S EDUCATIONAL AGENCY, THIRUVALLA BEFORE RESPONDENT NO.4.
- EXT.P12 COPY OF THE ORDER DATED 10/07/2014 PASSED BY RESPONDENT NO.4.
- EXT.P13 COPY OF THE APPEAL DATED 22/09/2014 SUBMITTED BEFORE RESPONDENT NO.2 AGAINST EXT.P12 ORDER.
- EXT.P14 COPY OF THE REPRESENTATION DATED 24/05/2015 SUBMITTED BY THE PETITIONER BEFORE RESPONDENT NO.2 (WITHOUT ANNEXURE).

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.19003 of 2015

.....
Dated this the 24th day of June, 2015

JUDGMENT

In connection with the approval of the appointment of the petitioner as Corporate Manager, the Secretary of the Educational Agency has preferred Ext.P13 appeal, against Ext.P12 order of the 4th respondent. The prayer of the petitioner in the writ petition is for a direction to the 2nd respondent, before whom Ext.P13 appeal is pending, to consider and pass orders on the same expeditiously, after hearing the petitioner, and taking note of Ext.P7 Circular issued by the 1st respondent.

2. I have heard the learned counsel for the petitioner and 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.P13 appeal, after hearing the petitioner and the appellant, within a period of two months from the date of receipt of a copy of this judgment. While passing orders on Ext.P13 appeal, the 2nd respondent shall take note of Ext.P7 Circular, that was issued by the 1st

respondent, as also the contents of Ext.P14 reminder that has been submitted by the petitioner before the 2nd respondent. To enable the 2nd respondent to do so, I direct the petitioner to produce a copy of the writ petition along with a copy of this judgment before the 2nd respondent for further action.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns