

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

WP(C).NO. 19144 OF 2015 (P)

PETITIONER(S) :

SHIVAKUMARA H.

U.P.S.A, M.S.COLLEGE HIGHER SECONDARY SCHOOL, PERDALA
P.O.NEERCHAL, KASARGOD - 671 301.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENT(S) :

1. STATE OF KERALA

REPRESENTED BY SECRETARY TO GOVERNMENT
DEPARTMENT OF GENERAL EDUCATION, SECRETARIAT
THIRUVANANTHAPURAM-695 001.

2. DIRECTOR OF PUBLIC INSTRUCTIONS

THIRUVANANTHAPURAM - 695 001.

3. DEPUTY DIRECTOR OF EDUCATION

KASARGOD - 671 001.

4. DISTRICT EDUCATIONAL OFFICER

KASARGOD - 671 001.

5. THE MANAGER

M.S.COLLEGE HIGHER SECONDARY SCHOOL, PERDALA
P.O.NEERCHAL, KASARGOD - 671 301

6. MEENAKSHI, HM

M.S.COLLEGE LOWER PRIMARY SCHOOL, PERDALA
P.O.NEERCHAL, KASARGOD - 671 301.

BY GOVERNMENT PLEADER SMT.M.J.RAJASREE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
08-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .NO. 19144 OF 2015 (P)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1 - TRUE COPY OF THE REPRESENTATION DATED 29.3.2015 SUBMITTED BY THE
PETITIONER BEFORE THE 5TH RESPONDENT.

P2 - TRUE COPY OF GO(MS)NO.92/2015/G.EDN DATED 2.6.2014

P3 - TRUE COPY OF THE CERTIFICATE DATED 3.3.2015.

EXT.P4- TRUE COPY OF THE OBJECTION DATED 26.06.2015 SUBMITTED BY THE
PETITIONER BEFORE THE 4TH RESPONDENT

RESPONDENT(S) ' EXHIBITS: NIL

//TRUE COPY//

P.A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.19144 of 2015

.....
Dated this the 8th day of July, 2015

J U D G M E N T

The petitioner has approached this Court through the present writ petition aggrieved by the denial of his request for appointment as Headmaster in the lower primary School managed by the 5th respondent. It is his case in the writ petition that the 6th respondent had been appointed as Headmistress in the School overlooking his claim for the said post. Inasmuch as the 6th respondent has already been appointed, this Court was of the view that, the petitioner could file his objections, against the appointment of the 6th respondent as Headmistress, before the 4th respondent before whom the application for approval of the appointment of the 6th respondent is currently pending. Through I.A.No.9420 of 2015 filed on 04.07.2015, the petitioner has produced, as Ext.P4, a copy of the objection dated 26.06.2015 that he has submitted before the 4th respondent.

2. I have heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

3. On a consideration of the facts and circumstances of the case

as also the submissions made across the bar, and taking note of the fact that objections have been filed by the petitioner before the 4th respondent, I dispose the writ petition with a direction to the 4th respondent to consider Ext.P4 objection preferred by the petitioner before him while considering the application submitted on behalf of the 6th respondent for approval of her appointment as Headmistress in the School. The 4th respondent shall take a decision in the matter within a period of three weeks from the date of receipt of a copy of this judgment, after hearing the petitioner, the 6th respondent as well as the Manager of the School. The petitioner shall produce a copy of the writ petition together with a copy of this judgment before the 4th respondent for further action.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

