

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

WP(C) .NO. 19308 OF 2015 (K)

PETITIONER(S) :

RAMESH N, UPSA, OUPS, PADIJATTUMURI
PADIJATTUMURI (P.O), MALAPPURAM DISTRICT

BY ADVS.SRI.DEVAN RAMACHANDRAN
SRI.K.M.ANEESH
SRI.K.SANTHOSH KUMAR (KALIYANAM)
SRI.ADARSH KUMAR
SRI.BIJU VARGHESE ABRAHAM

RESPONDENT(S) :

1. STATE OF KERALA REPRESENTED BY ITS SECRETARY,
GENERAL EDUCATION DEPARTMENT, SECRETARIAT,
TRIVANDRUM, 695001

2. DIRECTOR OF PUBLIC INSTRUCTION, TRIVANDRUM 695001

3. DEPUTY DIRECTOR OF EDUCATION, MALAPPURAM-676505

BY GOVERNMENT PLEADER SMT.M.J.RAJASREE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
26-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).NO. 19308 OF 2015 (B)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE ORDER DATED 19.10.2011 ISSUED BY THE 2ND RESPONDENT

EXT.P2: TRUE COPY OF THE PROCEEDINGS OF THE MANAGER OF OUPS, PADIJATTUMURI

EXT.P3: TRUE COPY OF THE REVISION PETITION FILED BEFORE THE 1ST RESPONDENT

EXT.P4: TRUE COPY OF THE ORDER DATED 5.09.2013 OF THE 1ST RESPONDENT

EXT.P5: TRUE COPY OF THE CIRCULAR NO.44060/12/11/GENERAL EDU.DEPT DATED 26.09.2012

EXT.P6: TRUE COPY OF THE LETTER DATED 05.03.2014 ISSUED BY 3RD RESPONDENT TO THE 1ST RESPONDENT

EXT.P7: TRUE COPY OF THE LETTER DATED 31.03.2015 ISSUED BY THE 1ST RESPONDENT

EXT.P8: TRUE COPY OF THE ORDER ISSUED BY THE 1ST RESPONDENT

EXT.P9: TRUE COPY OF THE ORDER ISSUED BY THE 1ST RESPONDENT

RESPONDENTS' EXHIBITS: NIL

//TRUE COPY//

P A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

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W.P.(C).No.19308 of 2015

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Dated this the 26th day of June, 2015

JUDGMENT

The petitioner, who was working as UPSA in OUPS, Padinjattumuri, is aggrieved by the non-consideration of a revision petition that he has filed in connection with reckoning of broken periods of service for the purposes of grant of increment and declaration of probation. The limited prayer in the writ petition is for a direction to the 1st respondent to consider and pass orders on Ext.P3 revision petition expeditiously, taking note of the provisions of Rule 61(a)(4) of Chapter XIVA KER, Ext.P5 Circular and Exts.P8 and P9 Government Orders that have been issued in similar cases.

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 1st respondent to consider and pass orders on Ext.P3 revision petition preferred by the petitioner,

within a period of three months from the date of receipt of a copy of this judgment, after hearing the petitioner. While passing orders as directed, the 1st respondent shall take note of the provisions of Rule 61(a)(4) of Chapter XIVA KER, Ext.P5 Circular and Exts.P8 and P9 Government orders that are stated to have been passed under similar circumstances in respect of other persons. To enable the 1st respondent to do so, I direct the petitioner to produce a copy of this judgment along with a copy of the writ petition before the 1st respondent for further action.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

