

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 3RD DAY OF JULY 2015/12TH ASHADHA, 1937

WP(C).No. 19978 of 2015 (V)

PETITIONER(S):

- 1. M.S.SHIBU, AGED 32 YEARS
PHYSICAL EDUCATION TEACHER
LIGHT TO THE BLIND SPECIAL SCHOOL, VARKALA**
- 2. T.R. SOUMYA GEORGE,
HSA (PHYSICAL SCIENCE), VRINDAVAN HS, VLATHANKAR
NEYYATTINKARA**

**BY ADVS.SRI.C.P.SUDHAKARA PRASAD (SR.)
SRI.S.RAMESH
SRI.NAVEEN.T
SMT.POOJA SURENDRAN**

RESPONDENT(S):

- 1. THE STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM 695 001**
- 2. THE DISTRICT EDUCATION OFFICER
ATTINGAL 695 101**
- 3. THE DISTRICT EDUCATION OFFICER
NEYYATTINKARA 695 0121**
- 4. THE DEPUTY DIRECTOR OF EDUCATION
THIRUVANANTHAPURAM 695 001**
- 5. THE MANAGER, LMS SCHOOLS
PALAYAM, THIRUVANANTHAPURAM 695 001**
- 6. THE MANAGER,
VRINDAVAN HS, VLATHANKARA, NEYYATTINKARA 695 121**

R BY GOVERNMENT PLEADER SMT.M.J.RAJASREE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: A TRUE COPY OF THE ORDER OF APPOINTMENT DATED 1/10/12

**EXRT.P1(A): A TRUE COPY OF THE ORDER APPROVAL GRANTED BY THE 2ND
RESPONDENT NO. B5/6274/12/D.DIS DATED 4/5/13**

**EXT.P2; A TRUE COPY OF THE APPOINTMENT ORDER DATED ORDER DATED
23/11/2009**

**EXT.P3: A TRUE COPY OF THE STAFF FIXTION ORDER OF THE DEO, ATTINGAL
DATED 13/8/2010**

**EXT.P4: A TRUE COPY OF THE STAFF FIXATION ORDER DEO, ATTINGAL DATED
'18/8/2009**

**EXT.P5: A TRUR COPY OF HE GOVERNMENT ORDER NO. G.O.NO.62/73/S. EDN
DATED 2/5/1973**

**EXT.P6: A TRUE COPY OF THE GOVERNEMNT ORDER NO G.L(P) NO.
144/2013/G/EDN DATED 22/4/2013**

RESPONDENT(S)' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.19978 OF 2015 (V)

Dated this the 3rd day of July, 2015

J U D G M E N T

The issue involved in the writ petition is squarely covered in favour of the petitioners by the decision of the Supreme Court in **State of Kerala v. Sneha Cheriyan - [2013 (1) KLT 755 9SC]** and a decision of this Court in **Nair Service Society v. State of Kerala - [2013 (4) KLT 921]**. Accordingly, the writ petition is disposed by directing respondents 2 and 3 to approve the appointment of the petitioners on regular scale of pay with effect from the date of their appointments, so as to enable them to draw vacation salary as well. The respondents 2 and 3 shall do the needful within a period of three weeks from the date of receipt of a copy of this judgment, and the disbursal of the arrears of salary and other benefits due to the petitioners shall be effected within a period of one month thereafter.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp