

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 10TH DAY OF MARCH 2015/19TH PHALGUNA, 1936

WP(C).No.20942 of 2014 (P)

PETITIONER:

**JYOTHI.S,MUSIC TEACHER,M.K.A.M.H.S.PALLANA,
PALLANA P.O,AMBALAPPUZHA,ALAPPUZHA-690 515.**

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:

- 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,ALAPPUZHA-690815.**
- 4. DISTRICT EDUCATIONAL OFFICER,ALAPPUZHA-690575.**
- 5. THE MANAGER,M.K.A.M.H.S.PALLANA,PALLANA P.O,
AMBALAPPUZHA,ALAPPUZHA-690 515.**

**R1-R4 BY SENIOR GOVT. PLEADER SMT.K.SUNITHA VINOD.
R5 BY ADVS.SRI.V.A.MUHAMMED
SRI.M.SAJJAD**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 10-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No.20942 of 2014 (P)

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1:TRUE COPY OF THE APPOINTMENT ORDER DATED 4-6-2012.

**EXHIBIT P2:TRUE COPY OF ORDER DATED1-09-2012 ISSUED BY THE 4TH
RESPONDENT.**

**EXHIBIT P3:TRUE COPY OF ORDER DATED 28-2-2013 ISSUED BY THE 3RD
RESPONDENT.**

**EXHIBIT P4:TRUE COPY OF THE ORDER DATED 16-12-2013 ISSUED BY THE 2ND
RESPONDENT.**

**EXHIBIT P5:TRUE COPY OF THE REVISION PETITION DATED 20-1-2014
SUBMITTED BY THE 5TH RESPONDENT.**

**EXHIBIT P6:TRUE COPY OF THE LETTER DATED 30-1-2014 ISSUED BY THE 1ST
RESPONDENT.**

EXHIBIT P7:TRUE COPY OF G.O(P) NO.199/2011 DATED 1-10-2011.

RESPONDENT'S EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C)No.20942 of 2014

Dated this the 10th day of March, 2015

JUDGMENT

The petitioner has been appointed as Music Teacher in the 5th respondent school with effect from 4.6.2012 onwards. The appointment has not been approved for the reason that as per G.O.(P) No.199/2011/G.Edn. dated 1.10.2011, the appointment of music teacher has to be made through Public Service Commission. The above Government Order is produced as Ext.P7. Accordingly, the petitioner's approval has been rejected by the authorities. The above Government Order is the subject matter of this Court judgment in W.P.(C) No.30107/2013 and connected cases. This Court by judgment dated 15.1.2015 quashed the above Government Order.

In view of the fact that Ext.P7 Government Order has been quashed by this Court, I am of the view, there is no other impediment in approving the appointment of the petitioner. Therefore, there shall be a direction to the fourth respondent to approve the appointment of the petitioner. Needful shall be done within a period of four weeks from the date of receipt of a copy of this judgment. The arrears of salary shall be made within a further period of two months. Therefore, the impugned orders are quashed to the extent rejecting the approval.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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