

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 2ND DAY OF SEPTEMBER 2015/11TH BHADRA, 1937

WP(C).No. 31221 of 2006 (P)

PETITIONER:

**JANSI RATHNAM D.,
QUARTER NO.L/24, KAP BN.,
MUTTUKULANGARA, PALGHAT.**

**BY ADVS.SRI.SIBY MATHEW
SRI.PHILIP J.VETTICKATTU**

RESPONDENT(S):

- 1. THE DISTRICT EDUCATIONAL OFFICER,
PALAKKAD.**
- 2. THE CORPORATE MANAGER,
ALL CSI SCHOOLS IN MALABAR & WYNAD,
BANK ROAD, CALICUT-673 001.**
- 3. SMT.SHEEBA KELOTH,
NEEDLE WORK TEACHER, BEMHS, PALAKKAD.**

**R1 BY GOVERNMENT PLEADER SRI.ABHIJITH LESSLI
R2 BY SRI.N.N.SUGUNAPALAN (SENIOR ADVOCATE)
ADV. SRI.S.SUJIN
R3 BY ADV. SRI.P.V.KUNHIKRISHNAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02-09-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

mbr/

APPENDIX

PETITIONERS' EXHIBITS:

EXT. P1 : TRUE COPY OF GROUP CERTIFICATE SHOWING THE ELIGIBILITY OF
THE PETITIONER IN NEEDLE WORK AND DRESS MAKING.

EXT. P2 : TRUE COPY OF REPRESENTATION DATED 18.10.2006 SUBMITTED BY
THE PETITIONER BEFORE THE 1ST RESPONDENT.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.V.RAMAKRISHNA PILLAI, J

WPC No.31221 of 2006

Dated this the 2nd day of September, 2015

JUDGMENT

Aggrieved by the inaction on the part of the first respondent in considering Ext.P2 application, the petitioner has come up before this Court.

2. According to the petitioner, the second respondent Corporate Management had invited applications for the post of Needle Work Teacher in the year 1992. However, no appointments were made from the said list. Meanwhile without due publicity and in a clandestine manner, appointments were attempted to be made to the post of Needle Work Teacher and some other posts. According to the petitioner, on coming to know of the same, the petitioner made an application for the post of Needle Work Teacher. However, no other than the selected teacher viz. the third respondent were issued with interview cards. On coming to know of the interview, the petitioner and other candidates presented themselves for interview. However,

after taking bribe from the third respondent, the previous committee, whose term of office expired just thereafter, appointed the third respondent; it is alleged. Against the same, the petitioner preferred Ext.P2 representation before the first respondent. Meanwhile, the present committee enquired into the matter and cancelled some of the appointments made by the previous committee on the ground of corruption. The third respondent is influencing the first respondent to grant approval to her appointment as Needle Work Teacher. The petitioner is nearing 39 and would be over aged. If the present committee finds that the appointment was bad on the ground of corruption, as in the case of other posts, if approval is granted to the appointment of the third respondent, it would cause irreparable loss and hardship to the petitioner. It is with this background the petitioner has come up before this Court.

3. I have heard the learned counsel for the petitioner and the learned Government Pleader in the matter.

When the matter came up for hearing the learned

counsel for the petitioner confined his argument to the limited prayer for a direction to the first respondent to dispose of Ext.P2 representation and to stay the grant of approval of appointment of the third respondent till a final decision is taken on Ext.P2. In the light of the said submission, this writ petition is disposed of directing the first respondent to consider Ext.P2 representation within a period of three months from the date of receipt of a copy of this judgment and take a final decision after affording the petitioner, the second respondent and the third respondent an opportunity of being heard. Till that exercise is completed, the grant of approval of appointment of the third respondent shall be kept in abeyance.

sd/- A.V.RAMAKRISHNA PILLAI
JUDGE

css/

true copy

P.S.TO JUDGE