

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT:
THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR
WEDNESDAY, THE 15TH DAY OF JULY 2015/24TH ASHADHA, 1937**

WP(C).NO. 21336 OF 2015 (N)

PETITIONER(S):

**1.SHINOJ THOMAS,
S/O.K.M.THOMAS,
HIGHER SECONDARY SCHOOL TEACHER (COMPUTER APPLICATION)
VAYALIL MOYI HAJI MEMORIAL HIGHER SECONDARY SCHOOL,
ANAYAMKUNNU, MUKKAM, KOZHIKODE**

**2. SUHAIR.N.K.
S/O.MUHAMMED N.K
HIGHER SECONDARY SCHOOL TEACHER (COMMERCE)
VAYALIL MOYI HAJI MEMORIAL HIGHER SECONDARY SCHOOL,
ANAYAMKUNNU, MUKKAM, KOZHIKODE**

**3.SAJITH KUMAR.P.
S/O.KRISHNANUNNI.P.
HIGHER SECONDARY SCHOOL TEACHER (JUNIOR) COMMERCE
VAYALIL MOYI HAJI MEMORIAL HIGHER SECONDARY SCHOOL,
ANAYAMKUNNU, MUKKAM, KOZHIKODE**

**4. ABDUL SALEEM.N.,
S/O.MUHAMMED HAJI.N.
HIGHER SECONDARY SCHOOL TEACHER (JUNIOR) COMMERCE
VAYALIL MOYI HAJI MEMORIAL HIGHER SECONDARY SCHOOL,
ANAYAMKUNNU, MUKKAM, KOZHIKODE**

**5.VISHNUPRASAD.A
S/O.VIJAYAN.K.A
LAB ASSISTANT,
VAYALIL MOYI HAJI MEMORIAL HIGHER SECONDARY SCHOOL,
ANAYAMKUNNU, MUKKAM, KOZHIKODE**

**6.RISLA.P.,
S/O.ISMAYIL
LAB ASSISTANT,
VAYALIL MOYI HAJI MEMORIAL HIGHER SECONDARY SCHOOL,
ANAYAMKUNNU, MUKKAM, KOZHIKODE**

**BY ADVS.SRI.M.R.ANISON
SMT.K.P.GEETHA MANI
SMT.P.A.RINUSA**

RESPONDENT(S):

**1.STATE OF KERALA, REP.BY ITS SECRETARY TO GOVT.,
GENERAL EDUCATION DEPARTMENT,
SECRETARIAT
THIRUVANANTHAPURAM-695 001**

**2.THE DIRECTOR OF HIGHER SECONDARY EDUCATION
OFFICE OF THE HIGHER SECONDARY EDUCATION
HOUSING BOARD BUILDING, SHANTI NAGAR,
THIRUVANANTHAPURAM-695 001**

**3. THE REGIONAL DEPUTY DIRECTOR OF HIGHER SECONDARY EDUCATION
REGIONAL OFFICE
KOZHIKODE-673001**

**4. THE MANAGER
VAYALIL MOYI HAJI MEMORIAL HIGHER SECONDARY SCHOOL,
ANAYAMKUNNU, MUKKAM, KOZHIKODE**

BY GOVERNMENT PLEADER SMT.M.J.RAJASREE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE APPOINTMENT ORDER TO THE 1ST PETITIONER DATED 01.09.2011

EXT.P2: TRUE COPY OF THE APPOINTMENT ORDER TO THE 2ND PETITIONER DATED 04.06.2012

EXT.P3: TRUE COPY OF THE APPOINTMENT ORDER TO THE 3RD PETITIONER DATED 28.06.2012

EXT.P4: TRUE COPY OF THE APPOINTMENT ORDER TO THE 4TH PETITIONER DATED 28.06.2012

EXT.P5: TRUE COPY OF THE APPOINTMENT ORDER TO THE 5TH PETITIONER DATED 01.06.2011

EXT.P6: TRUE COPY OF THE APPOINTMENT ORDER TO THE 6TH PETITIONER DATED 21.06.2011

EXT.P7: TRUE COPY OF G.O(MS) NO.211/13/G.EDN. DATED 15.07.2013

EXT.P8: TRUE COPY OF THE APPROVAL ORDER DATED 01.12.2014 ISSUED BY THE 3RD RESPONDENT

EXT.P9: TRUE COPY OF THE APPROVAL ORDER DATED 17.03.2014 ISSUED BY THE 3RD RESPONDENT

EXT.P10: TRUE COPY OF APPROVAL ORDER DATED 17.03.2014 ISSUED BY THE 3RD RESPONDENT

EXT.P11: TRUE COPY OF APPROVAL ORDER DATED 17.03.2014 ISSUED BY THE 3RD RESPONDENT

EXT.P12: TRUE COPY OF APPROVAL ORDER DATED 16.08.2013 ISSUED BY THE 3RD RESPONDENT

EXT.P13: TRUE COPY OF APPROVAL ORDER DATED 11.09.2013 ISSUED BY THE 3RD RESPONDENT

EXT.P14: TRUE COPY OF THE INTERIM ORDER DATED 19.01.2015 IN W.P.(C).NO.1878/2015

RESPONDENTS' EXHIBITS: NIL

//TRUE COPY//

P A TO JUDGE

WP(C).NO. 21336 OF 2015 (N)

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.21336 of 2015

.....
Dated this the 15th day of July, 2015

J U D G M E N T

The issue involved in the writ petition is squarely covered by the judgment dated 01.06.2015 of this Court in W.P.(C).No.16613 of 2014 and connected cases. Accordingly, the impugned orders in these writ petitions that approve the appointment of the petitioners therein as HSST/Lab Assistant with effect from a date subsequent to the date of their actual appointment in the School are quashed and the writ petition is allowed by holding that the petitioners are entitled to an approval of their appointment with effect from the date of their actual appointment in the School. As a consequence of the aforesaid direction, I also make it clear that, the petitioners will not be required to pay contribution to the Contributory Pension Scheme that was introduced with effect from 01.04.2013.

The writ petition is allowed as above.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**

mns/

