

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 22ND DAY OF JULY 2015/31ST ASHADHA, 1937

WP(C).No. 21974 of 2015 (V)

PETITIONER(S):

**NEETHA LUKOSE AGED 51 YEARS
UPSA(BIOLOGY), ST.JOSEPH'S HIGHER SECONDARY SCHOOL
THIRUVANANTHAPURAM - 695 001**

**BY ADVS.SRI.B.UNNIKRISHNA KAIMAL
SRI.V.MADHUSUDHANAN**

RESPONDENT(S):

- 1. THE DIRECTOR OF PUBLIC INSTRUCTIONS
THIRUVANANTHAPURAM - 695 014**
- 2. THE DEPUTY DIRECTOR OF EDUCATION
THIRUVANANTHAPURAM - 695 001**
- 3. THE DISTRICT EDUCATIONAL OFFICER,
THIRUVANANTHAPURAM - 695 001**
- 4. MANAGER, ST.JOSEPH'S HIGHER SECONDARY SCHOOL
THIRUVANANTHAPURAM - 695 001**

R BY GOVERNMENT PLEADER, SMT. M.J. RAJASREE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
22-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1 TRUE COPY OF THE APPOINTMENT ORDER DATED 28.07.2010 ISSUED BY THE 4TH RESPONDENT TO THE PETITIONER.
- EXT.P2 TRUE COPY OF THE APPOINTMENT ORDER DATED 01.10.2013 ISSUED BY THE 4TH RESPONDENT TO THE PETITIONER.
- EXT.P3 TRUE COPY OF THE APPOINTMENT ORDER DATED 14.01.2014 ISSUED BY THE 4TH RESPONDENT TO THE PETITIONER.
- EXT.P4 TRUE COPY OF THE ORDER DATED 26.11.2014 ISSUED BY THE 3RD RESPONDENT.
- EXT.P5 TRUE COPY OF THE APPEAL DATED 10.12.2014 SUBMITTED BY THE 4TH RESPONDENT BEFORE THE 2ND RESPONDENT,
- EXT.P6 TRUE COPY OF THE APPOINTMENT ORDER DATED 14.01.2015 ISSUED BY THE 4TH RESPONDENT TO THE PETITIONER.
- EXT.P7 TRUE COPY OF THE ORDER No.B5/8936/2013/K.DIS. DATED 17.04.2015 ISSUED BY THE 3RD RESPONDENT,
- EXT.P8 TRUE COPY OF THE APPEAL DATED 15.05.2015 SUBMITTED BY THE 4TH RESPONDENT BEFORE THE 1ST RESPONDENT.
- EXT.P9 TRUE COPY OF THE APPOINTMENT ORDER DATED 01.06.2015 ISSUED BY THE 4TH RESPONDENT TO THE PETITIONER.

RESPONDENT(S)' EXHIBITS

NIL

// True copy //

PA to Judge

das

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 21974 of 2015

Dated this the 22nd day of July, 2015

JUDGMENT

In connection with the approval to the appointment of the petitioner as UPSA during various spells, the 4th respondent Manager has preferred Ext.P5 appeal before the 2nd respondent and Ext.P8 appeal before the 1st respondent. Over and above this, the 3rd respondent is yet to pass orders regarding approval on Exts.P6 and P9 appointment orders, that were issued in favour of the petitioner. In the writ petition, the limited prayer of the petitioner is for a direction to the respondents concerned to pass orders in the appeals before them, as also in the matter of approval of the appointments made.

2. I have heard the learned counsel appearing for the petitioner as also the learned Government Pleader for the respondents.

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose the writ petition with the following directions:

- (i) The 2nd respondent shall pass orders on Ext.P5 appeal, after hearing the petitioner as well

as the manager of the school, within a period of one month from the date of receipt of a copy of this judgment.

(ii) The 1st respondent shall consider and pass orders on Ext.P8 appeal, after hearing the petitioner as well as the manager of the school, within a period of one month from the date of receipt of a copy of this judgment.

(iii) The 3rd respondent shall consider and pass orders regarding approval to the appointment of the petitioner covered by Exts.P6 and P9 appointment orders, within a period of one month from the date of receipt of a copy of this judgment, after hearing the petitioner and the Manager of the School.

The petitioner shall produce a copy of this writ petition together with a copy of this judgment, before respondents 1 to 3, for further action.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE