

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937

WP(C).No. 22257 of 2015 (F)

PETITIONER(S):

**1.SREENISHA .M
HIGHER SECONDARY SCHOOL TEACHER (HISTORY),
ST.JOSEPH'S HIGHER SECONDARY SCHOOL,
KODENCHERRY, KOZHIKODE DISTRICT.**

**2.LEENA ZACHARIAS,
HIGHER SECONDARY SCHOOL TEACHER (POLITICAL SCIENCE),
ST. JOSEPH'S HIGHER SECONDARY SCHOOL,
KODENCHERRY, KOZHIKODE DISTRICT.**

**3.PRASEENA.P.V.,
HIGHER SECONDARY SCHOOL TEACHER (HINDI)
HOLY FAMILY HIGHER SECONDARY SCHOOL,
KATTIPARA, KOZHIKODE DISTRICT.**

**BY ADVS.SRI.P.J.MATHEW
SRI.EBIN MATHEW**

RESPONDENT(S):

**1.THE STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF GENERAL EDUCATION,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001.**

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

**3.THE REGIONAL DEPUTY DIRECTOR,
HIGHER SECONDARY EDUCATION, REGIONAL OFFICE,
KOZHIKODE 673 001.**

**4.CORPORATE MANAGER, CORPORATE EDUCATIONAL AGENCY,
DIOCESE OF THAMARASSERY, THAMARASSERY P.O.,
KOZHIKODE DISTRICT. 673 573.**

R BY GOVERNMENT PLEADER SMT.LOWSY.A.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
23-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE APPOINTMENT ORDER DATED 28.11.2011 ISSUED BY THE CORPORATE MANAGER, DIOCESE OF THAMARASSERY TO THE 1ST PETITIONER.

EXT.P2: COPY OF THE ORDER DATED 28.11.2011 OF THE CORPORATE MANAGER, DIOCESE OF THAMARASSERY TO THE 2ND PETITIONER.

EXT.P3: COPY OF THE ORDER DATED 28.11.2011 OF THE CORPORATE MANAGER, DIOCESE OF THAMARASSERY TO THE 3RD PETITIONER.

EXT.P4: COPY OF THE ORDER OF APPROVAL DATED 22.9.2012 ISSUED BY THE 3RD RESPONDENT.

EXT.P5: COPY OF ORDER NO.A3/128(6)/2012 DATED 22/9/2012.

EXT.P6: COPY OF ORDER NO.A3/128(1)/2012 DATED 12/9/2012 OF THE 3RD RESPONDENT.

EXT.P7: COPY OF THE LETTER NO.AD.C3/53830/HSE/2013 DT. 19.12.2013 OF THE 2ND RESPONDENT.

EXT.P8: COPY OF THE ORDER OF APPROVAL NO.A1/12795/13/K.DIS. DATED 17.3.2014 ISSUED BY THE 3RD RESPONDENT.

EXT.P8(A): COPY OF THE ORDER OF APPROVAL NO.A1/12795/13/K.DIS. DATED 17/3/2014 ISSUED BY THE 3RD RESPONDENT.

EXT.P8(B): COPY OF THE ORDER OF APPROVAL NO.A1/12796/13/K.DIS. DATED 17/3/2014 ISSUED BY THE 3RD RESPONDENT.

EXT.P9: COPY OF THE APPROVAL ORDER NO.A4/7583/2013/K.DIS. DATED 2/4/2014 ISSUED BY THE 3RD RESPONDENT TO THE PROMOTION OF PETITIONERS 1 AND 2.

EXT.P10: COPY OF THE ORDER OF APPROVAL NO.A4/13025/13/K.DIS. DATED 2.7.2014 GIVEN TO THE PROMOTION OF THE 3RD PETITIONER DATED 2.7.2014.

EXT.P11: COPY OF G.O.(RT) NO.858/2015/G.EDN. DATED 3.3.2015.

EXT.P12: COPY OF JUDGMENT DATED 4.12.2014 IN W.P.(C).NO.15651 OF 2014(F) OF THIS HONOURABLE COURT.

RESPONDENTS EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.22257 OF 2015 (F)

Dated this the 23rd day of July, 2015

J U D G M E N T

The issue involved in this writ petition is squarely covered in favour of the petitioner by Ext.P12 judgment of this Court. Accordingly, I quash Exts.P4, P5 and P6, to the extent they impose a condition that the candidates in question are not entitled to vacation salary in the year 2012 in terms of Rule 49 of Chapter XIVA of the KER. The respondents shall take immediate steps to disburse the vacation salary that is due and payable to the petitioners in the writ petition, within a period of three months from the date of receipt of copy of this judgment.

The writ petition is disposed as above.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**

prp