

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 24TH DAY OF JULY 2015/2ND SRAVANA, 1937

WP(C).No. 22283 of 2015 (I)

PETITIONER(S):

**1.DIOUS.P.JOHN,
HSST CHEMISTRY, SACRED HEART'S HSS ANGADIKKADAVU,
KANNUR DISTRICT.**

**2.ANNA MARIA K, HSST PHYSICS, ST. THOMAS HSS,
KILIYANTHARA.P.O., KANNUR DISTRICT.**

**3.MANJUSHA KURIAN, HSST PHYSICS, NIRMALA HSS CHEMPERI,
CHEMPERI P.O., KANNUR DISTRICT.**

**4.SMITHA THOMAS, HSST PHYSICS, B VJM HSS, PERUMPADAVA,
PERUMPADAVA P.O., KANNUR DISTRICT.**

**5.JOSIAMOL JOSEPH, HSST MATHAMATICS, SANTHOME HSS,
KOLAKKAD, KOLAKKAD P.O., KANNUR DT.**

**6.SHEEJA GEORGE, HSST MATHAMATICS, ST.JUDE'S HSS
VELLERIKKUNDU, VELLERIKKUNDU P.O., KASARAGODE DIST.
KERALA PIN 671 533.**

BY ADV. SRI.K.KUNHIKRISHNAN

RESPONDENT(S):

**1.STATE OF KERALA, REPRESENTED BY
SECRETARY TO GENERAL EDUCATION, TRIVANDRUM 695 001.**

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

**3.REGIONAL DEPUTY DIRECTOR OF HIGHER SECONDARY EDUCATION,
REGIONAL OFFICE, KANNUR 673 001.**

**4.CORPORATE MANAGER, ARCHDIOCESE OF THALASSERY,
THALASSERY P.O. KANNUR DT. PIN 670 702.**

R BY GOVERNMENT PLEADER SMT.LOWSY.A.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
24-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPIES OF THE APPOINTMENT ORDERS OF PETITIONERS AS HSST JUNIOR IN 4TH RESPONDENT'S SCHOOL.

EXT.P2: COPIES OF THE APPOINTMENT ORDERS OF THE PETITIONERS AS HSST W.E.F 3.6.2013.

EXT.P3: COPY OF THE G.O.(RT) NO.680/2012/G.EDN. DATED 10.2.2012.

EXT.P4: COPIES OF THE ORDERS REJECTING PETITIONERS PROMOTION IN THE YEAR 2011-2012.

EXT.P5: COPY OF THE G.O.(MS).NO.76/2013/G.EDN. DATED 23.12.2013.

EXT.P6: COPY OF THE JUDGMENT OF THE HON'BLE COURT IN W.P.(C). NO.20849/2013 QUASHING EXT.P4 ORDER OF THE GOVERNMENT DATED 19.9.2014.

EXT.P7: COPY OF THE ORDER NO.G.O.(MS).NO.211/2013/G.EDN. DATED 15.7.2013.

EXT.P8: COPY OF THE LETTER COMMUNICATING THE 1ST PETITIONER DENYING THE REPRESENTATION BY 2ND RESPONDENT.

RESPONDENTS EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.22283 OF 2015 (I)

Dated this the 24th 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 petitioners by Ext.P6 judgment of this Court. Accordingly, Ext.P5 Government order, to the extent it accords sanction for the upgradation of 1061 posts of HSST, prospectively with effect from the date of the said Government Order, is quashed. Ext.P5 Government order, in its application to the petitioners, shall have effect from the commencement of the academic year 2011-12 and subject to physical verification as to whether the petitioners qualify to hold the post of HSST in terms of Rule 1 (d) of Chapter XXXII of the Kerala Education Rules.

The writ petition is disposed as above.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp

