

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 27TH DAY OF JULY 2015/5TH SRAVANA, 1937

WP(C).No. 22521 of 2015 (M)

PETITIONER(S):

**TESSY ELIZABETH ABRAHAM, AGED 78 YEARS,
W/O.ANEESH MATHEW, WORKING AS H.S.A. (ENGLISH)
ST.STEPHEN'S HIGHER SECONDARY SCHOOL, PATHANAPURAM,
KOLLAM DISTRICT 689 695.
RESIDING AT KOLLAKUNNEL HOUSE, MALLAPPALLY WEST P.O.,
PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENT(S):

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

**2.THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM 695 001.**

3.THE DEPUTY DIRECTOR OF EDUCATION, KOLLAM 691 001.

4.THE DISTRICT EDUCATIONAL OFFICER, PUNALUR 691 305.

**5.THE HEAD MASTER, ST.STEPHEN'S HIGHER SECONDARY SCHOOL,
PATHANAPURAM, KOLLAM DISTRICT 689 695.**

**6.THE CORPORATE MANAGER,
CORPORATE MANAGEMENT OF SCHOOLS,
SOCIETY OF THE ORDER OF SACRED TRANSFIGURATION,
MOUNT TABOR, PATHANAPURAM P.O., KOLLAM DISTRICT 689 695.**

R BY GOVERNMENT PLEADER SMT.LOWSY.A.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
27-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE APPOINTMENT ORDER DATED 28.7.2011 ISSUED BY THE 6TH RESPONDENT TO THE PETITIONER.

EXT.P2: COPY OF THE PROCEEDINGS OF THE 6TH RESPONDENT DATED 28.7.2011 DIRECTING THE HEAD MASTER TO ADMIT PETITIONER FOR DUTY.

EXT.P3: COPY OF COMMUNICATION DATED 18.5.2013 SEND BY THE 4TH RESPONDENT TO THE 5TH RESPONDENT.

EXT.P4: COPY OF THE RELEVANT PAGE OF AUDIT OBJECTION, RECEIVED BY THE PETITIONER.

EXT.P5: COPY OF THE PROCEEDINGS/ORDER OF THE 4TH RESPONDENT DATED 13.8.2010 IN RESPECT OF SANCTIONING DIVISIONS AND ESTABLISHMENT TO ST.STEPHENS HSS, PATHANAPURAM.

EXT.P6: COPY OF THE PROCEEDINGS/ORDER OF THE 4TH RESPONDENT DATED 16.8.2011 IN RESPECT OF SANCTIONING DIVISIONS AND ESTABLISHMENT TO ST. STEPHEN'S HSS, PATHANAPURAM.

EXT.P7: COPY OF G.O.(P).NO.199/2011/G.EDN. DATED 1.10.2011.

EXT.P8: COPY OF THE REPLY SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT.

EXT.P9: COPY OF NOTICE NO.B1/583/2013 DATED 28.10.2014 ISSUED BY THE 4TH RESPONDENT.

EXT.P10: COPY OF THE REPLY DATED 11.11.2014 SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT.

EXT.P11: COPY OF COMMUNICATION NO.O.A2(4) 5235/13 DATED 8.5.2015 ISSUED BY THE 3RD RESPONDENT.

EXT.P12: COPY OF REVISION PETITION FILED BY THE PETITIONER.

EXT.P13: COPY OF NOTICE NO.B1/583/2013 DATED 20.6.2015 ISSUED BY THE 4TH RESPONDENT.

RESPONDENTS EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.22521 OF 2015 (M)

Dated this the 27th day of July, 2015

J U D G M E N T

Aggrieved by an order that proposes a recovery of salary and allowances from the petitioner, the petitioner has preferred Ext.P12 revision petition before the 2nd respondent. The limited prayer of the petitioner in the writ petition is for a direction to the 2nd respondent to consider and pass orders on Ext.P12 revision petition, expeditiously, after hearing the petitioner, and to keep in abeyance the proceedings pursuant to Ext.P13, which is passed in implementation of the order against which the revision has been filed.

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

On a consideration of the facts and circumstances of the case as also the submissions made across the bar, I dispose the writ petition with a direction to the 2nd respondent to consider and pass orders on Ext.P12 revision, within a period of three months from the date of

receipt of a copy of this judgment, after hearing the petitioner. I make it clear that till such time as orders are passed by the 2nd respondent as directed, and communicated to the petitioner, the operation of Ext.P13 order shall be kept in abeyance. The petitioner shall also produce a copy of the writ petition along with the copy of this judgment before the 2nd respondent, for further action.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp