

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 30TH DAY OF JULY 2015/8TH SRAVANA, 1937

WP(C) .NO. 23005 OF 2015 (A)

PETITIONER(S) :

DIVYA K.M AGED 28 YEARS
W/O.SHAJU P.C,
HIGHER SECONDARY SCHOOL TEACHER (JUNIOR) IN ENGLISH
RAMANATTUKARA HIGHER SECONDARY SCHOOL
VAIDYARANGADI P.O, MALAPPURAM DISTRICT

BY ADVS.SRI.K.T.SHYAMKUMAR
SRI.HARISH R. MENON

RESPONDENT(S) :

1. STATE OF KERALA REPRESENTED BY ITS SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM PIN 695001

2. THE DIRECTOR OF HIGHER SECONDARY EDUCATION,
THIRUVANANTHAPURAM PIN 695001

3. THE REGIONAL DEPUTY DIRECTOR OF HIGHER SECONDARY EDUCATION,
MALAPPURM-PIN 676 301

BY GOVERNMENT PLEADER SMT.LOWSY.A

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .NO. 23005 OF 2015 (A)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER

EXT.P2: TRUE COPY OF THE ORDER DATED 25.6.2014 ISSUED BY THE 3RD
RESPONDENT

EXT.P3: TRUE COPY OF THE JUDGMENT DATED 1.6.2015 IN W.P(C) .
NO.16613/2014 AND CONNECTED CASES

RESPONDENTS' EXHIBITS: NIL

//TRUE COPY//

P A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.23005 of 2015

.....
Dated this the 30th day of July, 2015

J U D G M E N T

The issue involved in the writ petition is squarely covered in favour of the petitioner By Ext.P3 judgment of this Court.

Resultantly, the order impugned in the writ petition, that approves the appointment of the petitioner as HSST with effect from a date, subsequent to the date of her actual appointment in the School, is quashed and the writ petition allowed by holding that the petitioner is entitled to the approval of her appointment with effect from the date of her appointment in the School. As a consequence of the aforesaid direction, I also make it clear that the petitioner is not required to pay contribution to the Contributory Pension Scheme that was introduced with effect from 01.04.2013.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

