

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 31ST DAY OF JULY 2015/9TH SRAVANA, 1937

WP(C).No. 23236 of 2015 (D)

PETITIONER(S):

**SAJEEV DAVIS K.S.
AGED 46 YEARS,S/O.K.L.DEVASSY,
HSA (MATHS), ST. JOSEPHS H S, MELOOR, THRISSUR DISTRICT.**

**BY ADVS.SRI.SHERRY J. THOMAS
SRI.ARUN ALEX**

RESPONDENT(S):

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

**2.THE DIRECTOR OF PUBLIC INSTRUCTIONS
JAGATHY, THIRUVANANTHAPURAM 695 014.**

3.DISTRICT EDUCATIONAL OFFICER, IRINJALAKKUDA.

**4.THE CORPORATE MANAGER, ARCHDIOCESAN CORPORATE
EDUCATIONAL AGENCY, ARCHDIOCESE OF ERNAKULAM - ANGAMALY,
RENEWAL CENTRE, KALOOR, KOCHI - 17.**

R BY GOVERNMENT PLEADER SMT.M.J.RAJASREE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
31-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE LATEST DOCTOR'S PRESCRIPTION OF THE FATHER OF THE PETITIONER DATED 21.6.15.

EXT.P2: COPY OF THE MEDICAL CERTIFICATE OF THE PETITIONER.

EXT.P3: COPY OF THE PETITION SUBMITTED BEFORE THE 2ND RESPONDENT.

EXT.P4: COPY OF THE ORDER DATED 3.6.2014.

EXT.P5: COPY OF THE TRANSFER ORDER DATED 10.6.2015.

EXT.P6: COPY OF THE SENIORITY LIST OF THE 4TH RESPONDENT CORPORATE MANAGEMENT.

EXT.P7: COPY OF THE APPEAL FILED BEFORE THE 2ND RESPONDENT.

EXT.P8: COPY OF THE REPRESENTATION SUBMITTED BY THE PTA PRESIDENT BEFORE THE 4TH RESPONDENT.

EXT.P9: COPY OF THE REQUEST GIVEN BY PRESIDENT OF GRAMAPANCHAYATH TO THE 4TH RESPONDENT.

EXT.P10: COPY OF THE REQUEST SENT BY THE PETITIONER TO THE 2ND RESPONDENT REGARDING THE ANOMALIES IN SCHOOL.

EXT.P11: COPY OF THE COVERING LETTER AND ENQUIRY REPORT DATED 30.5.15 OF THE 3RD RESPONDENT.

EXT.P12: COPY OF THE AWARD OF EXCELLENCE CERTIFICATE.

EXT.P13: COPY OF THE REQUEST DATED 8.7.15 SUBMITTED BY THE PTA PRESIDENT FOR AND ON BEHALF OF PTA AT MELOOR SCHOOL BEFORE THE 2ND RESPONDENT.

EXT.P14: COPY OF THE JUDGMENT IN WPC.17904/2015 DATED 15.6.15.

EXT.P15: COPY OF THE ORDER DATED 15.7.15 OF THE 2ND RESPONDENT.

EXT.P16: COPY OF THE REVISION PETITION DATED 29.7.2015 FILED BEFORE THE 1ST RESPONDENT.

RESPONDENTS EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.23236 OF 2015 (D)

Dated this the 31st day of July, 2015

J U D G M E N T

The petitioner, who is working as a High School Assistant under the 4th respondent Management, is aggrieved by an order of transfer, whereby, he has been transferred from Thrissur to Aluva. Against Ext.P5 order of transfer, the petitioner has preferred Ext.P16 revision petition before the 1st respondent, and the limited prayer of the petitioner in the writ petition is for a direction to the 1st respondent to consider and pass orders on Ext.P16 revision petition, after hearing the petitioner.

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 1st respondent to consider and pass orders on Ext.P16 revision petition, within a period of one month from the date

of receipt of a copy of this judgment, after hearing the petitioner as well as the Manager of the School. I make it clear that, till such time as orders are passed by the 1st respondent, as directed, and communicated to the petitioner, Ext.P5 order of transfer pertaining to the petitioner, shall be kept in abeyance.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp