

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

WP(C).No. 27506 of 2009 (G)

PETITIONER(S):

1. SINDU JONES,
LECTURER IN PHYSICS, BASELIUS COLLEGE, KOTTAYAM-1.

2. LINJU ANN JACOB,
LECTURER IN PHYSICS, BASELIUS COLLEGE, KOTTAYAM-1.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENT(S):

1. STATE OF KERALA,
REP.BY SECRETARY TO GOVERNMENT
DEPARTMENT OF HIGHER EDUCATION, SECRETARIAT
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF COLLEGIATE EDUCATION,
THIRUVANANTHAPURAM.

3. THE DEPUTY DIRECTOR OF COLLEGIATE
EDUCATION, KOTTAYAM.

4. THE CORPORATE MANAGER,
MALANKARA ORTHODOX CHURCH COLLEGES, DEVALOKAM
KOTTAYAM DISTRICT.

5. MAHATMA GANDHI UNIVERSITY,
REP.BY THE REGISTRAR, MAHATMA GANDHI UNIVERSITY
KOTTAYAM.

R,R3 BY ADV. GOVERNMENT PLEADER: ADV.SMT.SUNITHA VINOD
R5 BY ADV. SRI.VARUGHESE M.EASO, SC, M.G. UNIVERSITY
R5 BY ADV. DR.P.LEELAKRISHNAN, SC, M.G.UNIVERSITY
R BY SRI. T.A. SHAJI, SC, M.G.UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
09-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT P1 : TRUE COPY OF THE APPOINTMENT ORDER DTD 07.01.2002
OF THE 1st PETITIONER

EXT P2 : TRUE COPY OF THE APPOINTMENT ORDER DTD 07.01.2002
OF THE 2nd RESPONDENT

EXT P3 : TRUE COPY OF THE ORDER DTD 29.10.2005

EXT P4 : TRUE COPY OF the COMMUNICATION DTD 06.02.2008

EXT P5 : TRUE COPY OF THE JUDGMENT DTD 12.08.2005 IN Writ
Petition(C) .NO.482 OF 2005

EXT P6 : TRUE COPY OF THE JUDGMENT DTD 18.08.2007 IN W A
NO.2529/2005

EXT P7 : TRUE COPY OF the SALARY BILL

EXT P8 : TRUE COPY OF THE LETTER DTD 03.08.2009

EXT P9 : TRUE COPY OF THE REPLY DTD 14.08.2009

RESPONDENTS' EXHIBITS:NIL

True Copy/

P A to Judge

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.27506 of 2009
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Dated this the 09th day of April, 2015

JUDGMENT

Petitioners are working as Lecturers in Physics in Baseliuss College, Kottayam. The relief sought in this Writ Petition is for a direction to the respondents 1 to 3 to pay salary to the petitioners from June 2009 onwards.

2. Petitioners submit that in the light of the judgment in R.P.Nos.101 and 180 of 2008 in W.A.No.2529 of 2005 as confirmed by the Supreme Court, petitioners are entitled for salary from 2009 onwards. I have perused the judgment, this issue is covered in favour of the petitioners.

In the light of the above, following directions are issued:

(i) The 4th respondent is directed to forward the proposal of the petitioners for approval which shall be done within a period of two weeks from the date of receipt of a copy of this judgment.

(ii) Thereupon, University shall take a decision on appointment of the petitioners in the light of judgment referred supra.

(iii) On being approved, third respondent shall pay necessary salary to the petitioners.

(iv) Petitioners shall produce the relevant judgment before the Principal and Principal shall

forward the same along with the salary bills to the third respondent.

(v) The third respondent shall honour such bills after adverting to the above judgments. Needful shall be done within a period of three months.

The Writ Petition is disposed of. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.