

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 26TH DAY OF OCTOBER 2015/4TH KARTHIKA, 1937

WP(C).No. 23411 of 2015 (B)

PETITIONER:

**SHIHAB P AGED 36 YEARS
S/O. ABDU RAHIMAN, THIRUTHITHOTTAM HOUSE, P.O.OLAVANNA
KOZHIKODE-673 028.**

**BY ADVS.SRI.P.V.KUNHIKRISHNAN
SRI.G.ANEESH
SRI.P.V.ANOOP
SMT.PRIYANKA VARGHESE**

RESPONDENTS:

- 1. DIRECTOR OF PUBLIC INSTRUCTIONS
THIRUVANANTHAPURAM-695 001.**
- 2. DEPUTY DIRECTOR OF EDUCATION
OFFICE OF THE DEPUTY DIRECTOR, KOZHIKODE-673 001.**
- 3. STATE OF KERALA
REPRESENTED BY ITS SECRETARY, EDUCATION DEPARTMENT
THIRUVANANTHAPURAM-695 001.**
- 4. HEADMISTRESS
GOVERNMENT HIGH SCHOOL, NALLALAM, KOZHIKODE-673 027.**

BY GOVERNMENT PLEADER SMT. A LOWSY

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
26-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS

- P1 : COPY OF THE LETTER INFORMATION NO.G2/19413/13 DTD.24.10.2013 OF PUBLIC INFORMATION OFFICER, DEPUTY DIRECTOR OF EDUCATION, KOZHIKODE.
- P2 : COPY OF THE JUDGMENT DTD.9.12.2013 IN WPC O.26895/2013.
- P3 : COPY OF THE JUDGMENT DTD.7.2.2014 IN WPC NO.30981/2013.
- P4 : COPY OF THE GO(MS)NO.164/2014/G.EDN. DTD.23.8.2014 OF THE 3RD RESPONDENT.
- P5 : COPY OF THE LIST OF SANCTIONED POSTS, PSC APPOINTEES, PROTECTED TEACHERS ISSUED BY THE 4TH RESPONDENT WHO IS THE HEADMISTRESS OF NALLALAM GOVT. HIGH SCHOOL.
- P6 : COPY OF THE SCHOOL WISE VACANCY LIST OF ONLINE TRANSFER AND POSTING OF GOVERNMENT SCHOOL TEACHERS 2015-2016 DTD.16.7.2015.
- P7 : COPY OF THE REPRESENTATION DTD.30.6.2015 FROM THE PARENT-TEACHERS ASSOCIATION AND SCHOOL HEADMISTRESS TO THE HON'BLE MINISTER FOR EDUCATION.

RESPONDENTS' EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

JJJ

K. VINOD CHANDRAN, J.

W.P.(C) No. 23411 of 2015 (B)

Dated this the 26th day of October, 2015

J U D G M E N T

The petitioner has filed the above writ petition seeking a mandamus to notify the vacancies existing in the Nallalam Government High School, Kozhikode, and to fill up the same. The Parent Teacher Association also is aggrieved by the fact that there are not enough teachers in the school to impart training to the students.

2. As rightly pointed out by the learned Government Pleader the first two prayers are not maintainable herein, especially since the appointments to the Government Schools are to be made through the Public Service Commission and the same is done after the vacancies are reported by each School and the Public Service Commission, by a proper procedure, issues notification and calls for selection. The further prayer is for a direction to appoint teachers from the Employment Exchange till

regular posts are filled up. As for the third prayer, the learned Government Pleader submits that on consideration of representations produced at Ext.P7, it was found that there are vacancies existing and as of now, 11 teachers have been appointed on a daily wage basis and 12 protected teachers have also been deployed to the school.

3. In such circumstance, the grievance of the petitioner seems to be substantially redressed and there are enough teachers now in the school occupying all the vacancies. As for the prayer for reporting of vacancies, the Government would take expeditious steps to see that the appointments are made without delay.

The writ petition would stand disposed of. No costs.

Sd/-
K.VINOD CHANDRAN,
JUDGE