

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 17TH DAY OF AUGUST 2015/26TH SRAVANA, 1937

WP(C).No. 24790 of 2015 (W)

PETITIONER(S)/PETITIONERS:-:

1. SHYLAJA M.
U.P.S.A., MANGATTIDAM U.P. SCHOOL, P.O.MANGATTIDAM
KANNUR - 670 643.
2. PRABHAVATHI M.V.
U.P.S.A., MANGATTIDAM U.P. SCHOOL, P.O.MANGATTIDAM
KANNUR - 670 643.

**BY ADVS.SRI.M.VIJAYAKUMAR
SMT.DENNIS VARGHESE**

RESPONDENT(S)/RESPONDENTS:-:

1. STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT
THIRUVANANTHAPURAM - 695 001.
2. DIRECTOR OF PUBLIC INSTRUCTIONS
THIRUVANANTHAPURAM - 695 001.
3. ASSISTANT EDUCATIONAL OFFICER
KUTHUPARAMBA - 670 643.
4. THE MANAGER
MANGATTIDAM U.P. SCHOOL, P.O.MANGATTIDAM
KANNUR - 670 643.
5. RENILA P.
U.P.S.A., MANGATTIDAM U.P. SCHOOL, P.O.MANGATTIDAM
KANNUR - 670 643.
6. SHIJINA
U.P.S.A., MANGATTIDAM U.P. SCHOOL, P.O.MANGATTIDAM
KANNUR - 670 643.

R BY GOVERNMENT PLEADER, SMT. M.J. RAJASREE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
17-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1. PHOTOSTAT COPY OF THE ORDER APPROVING THE APPOINTMENT OF THE 1ST PETITIONER DATED 02.06.1997.
- EXHIBIT P2. PHOTOSTAT COPY OF THE ORDER APPROVING THE APPOINTMENT OF THE 2ND PETITIONER DATED 17.06.1998.
- EXHIBIT P3. PHOTOSTAT COPY OF THE ORDER OF HTE DIRECTOR OF PUBLIC INSTRUCTION DATED 26.06.2012.
- EXHIBIT P4. PHOTOSTAT COPY OF THE REVISION FILED BY THE 1ST PETITIONER BEFORE THE GOVERNMENT DATED 24.07.2015.
- EXHIBIT P5. TRUE COPY OF THE REVISION FILED BY THE 2ND PETITIONER BEFORE THE GOVERNMENT DATED 24.07.2015.
- EXHIBIT P6. TRUE COPY OF THE OBJECTION TO THE 2ND RESPONDENT DATED 04.06.2015.

RESPONDENT(S)' EXHIBITS

NIL

// True copy //

PA to Judge

das

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 24790 of 2015

Dated this the 17th day of August, 2015

JUDGMENT

The petitioners, who are working as UPSA from 1997 and 1998, are aggrieved by Ext.P3 order, whereby their lien to the post of UPSA has been shifted to the post of LPSA. It is the case of the petitioners in the writ petition that the said action of shifting their lien from the UPSA to LPSA was done by the manager of the school, without hearing them. It is also stated that against the orders passed against them, they have preferred Exts.P4 and P5 revision petitions before the 1st respondent and the limited prayer in the writ petition is for a direction to the 1st respondent to consider and pass orders on Exts.P4 and P5 revision petitions, that have been preferred by the petitioners before the 1st respondent, expeditiously, after hearing them.

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

On a consideration of the facts and circumstances of the case and 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 Exts.P4 and P5 revision petitions, after hearing the petitioners, within a period of two months from the date of receipt of a copy of this judgment. I make it clear that, till such time as orders are passed by the 1st respondent as directed and communicated to the petitioners, the operation and implementation of Ext.P3 order shall be kept in abeyance. The petitioners shall produce a copy of the writ petition together with a copy of this judgment before the 1st respondent for further action.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE