

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 24TH DAY OF MARCH 2015/3RD CHAITHRA, 1937

WP(C).No. 29338 of 2010 (N)

PETITIONER(S):

1. B.SHEEJA,
L.P.S.A., S.I.L.P.S.
MULLIKKALA, THEVALAKKARA.

2. N.SUSEELA, L.P.S.A., K.M.J.L.P.S,
KUTTIVATTOM, KARUNAGAPPALLY.

3. RASMI RAJ.V,
L.P.S.A., K.M.J.L.P.S, KUTTIVATTOM,
KARUNAGAPPALLY.

BY ADVS.SRI.M.V.BOSE
SRI.VINOD MADHAVAN

RESPONDENT(S):

1. ACCOUNTANT GENERAL, (A & E) KERALA,
THIRUVANANTHAPURAM.695001

2. THE ASSISTANT EDUCATIONAL OFFICER,
CHAVARA.691 583

3. THE HEADMASTER, K.M.J.L.P.S, KUTTIVATTOM,
KARUNAGAPPALLY.690 518

4. THE HEADMASTER, MULLIKKALA,
THEVALAKKARA.691001

R1 BY ADV. GOVERNMENT PLEADER
R BY GOVERNMENT PLEADER SMT.M.J.RAJASREE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
24-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.29338/2010

APPENDIX

PETITIONERS EXHIBITS:

- EXT.P1: COPY OF THE APPOINTMENT ORDER DATED 18/8/2005.
- EXT.P2 COPY OF THE APPOINTMENT ORDER DATED 5/6/2006.
- EXT.P3: COPY OF ORDER DATED 23/11/2007 OF THE DISTRICT EDUCATIONAL OFFICER, KOLLAM.
- EXT.P4: COPY OF APPOINTMENT ORDER DATED 25/8/2005.
- EXT.P5: COPY OF APPOINTMENT ORDER DATED 5/6/2006.
- EXT.P6: COPY OF THE ORDER DATED 18/10/2007
- EXT.P7: COPY OF APPOINTMENT ORDER DATED 23/8/2005.
- EXT.P8: COPY OF APPOINTMENT ORDER DATED 5/6/2006.
- EXT.P9: COPY OF ORDER DATED 2/8/2007 OF THE D.E.O.
- EXT.P10: COPY OF LETTER.
- EXT.P11: COPY OF REPLY OF THE MANAGER DATED 17/7/2010
- EXT.P12: COPY OF REPLY OF THE 1ST PETITIONER DATED 20/7/2010.
- EXT.P13: COPY OF NOTICE DATED 6/8/2010
- EXT.P14: COPY OF INTIMATION DATED 13/9/2010
- EXT.P15: COPY OF LETTER DATED 17/9/2010
- EXT.P16: COPY OF G.O.(P) NO.46/06 DATED 1-2-2006.

/TRUE COPY/ P.S TO JUDGE.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No. 29338 OF 2010

Dated this the 24th day of March, 2015

JUDGMENT

The petitioners are working as L.P.S.As in different aided schools. Their appointment has been approved. They approached this Court on account of the threatened action for cancellation of their appointment and denial of salary to them on the ground that the Manager of the schools, in which they are working, failed to appoint protected teachers.

2. The petitioners' case is that no list of protected teachers has been given to the Manager by the AEO concerned. Further, it is submitted that there is already a protected teacher appointed in the schools, in which the petitioners are working.

3. The respondents have no case that the list of protected teachers has been given to the Manager of the schools.

4. In view of the fact that the petitioners have been

appointed in a substantial vacancy and approval was given to such appointment, impugned orders are quashed and set aside.

The writ petition is disposed of as above.

Sd/-

**A.MUHAMED MUSTAQUE,
Judge.**

dpk

/True copy/ PS to Judge.

