

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 5TH DAY OF AUGUST 2015/14TH SRAVANA, 1937

WP(C).No. 25748 of 2014 (P)

PETITIONER(S):

1. ANEESH ANTONY, H.S.S.T.(JUNIOR) COMPUTER APPLICATION, I.J.M.H.S.S. KOTTIYOOR, KANNUR DISTRICT.
2. JISHA M.V, H.S.S.T.(JUNIOR), PHYSICS, CHAPPARAPPADAVA H.S.S. CHAPPARAPPADAVA.P.O., KANNUR DISTRICT.
3. RINTEENA MARY V, H.S.S.T. (JUNIOR) CHEMISTRY, CHAPPARAPPADAVA H.S.S., CHAPPARAPPADAVA.P.O., KANNUR DISTRICT.
4. BIJUL K, H.S.S.T.(JUNIOR) MATHEMATICS, CHAPPARAPPADAVA H.S.S. CHAPPARAPPADAVA.P.O., KANNUR DISTRICT.
5. JIMMY JOSEPH, H.S.S.T.(SENIOR) COMMERCE, A.J.JOHN MEMORIAL H.S.S. CHATHANGOTTU NADA, KAVILUMPARA (VIA), KOZHIKODE DISTRICT.

**BY ADVS.DR.K.P.SATHEESAN (SR.)
SRI.M.R.JAYAPRASAD**

RESPONDENT(S):

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY
GENERAL EDUCATION(T) DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.
2. THE DIRECTOR OF HIGHER SECONDARY EDUCATION
OFFICE OF THE DIRECTOR OF HIGHER SECONDARY EDUCATION
HOUSING BOARD BUILDING, SANTHI NAGAR
THIRUVANANTHAPURAM-695 001.
3. THE JOINT DIRECTOR (ACADEMIC)
OFFICE OF THE DIRECTOR OF HIGHER SECONDARY EDUCATION
HOUSING BOARD BUILDING, SANTHI NAGAR
THIRUVANANTHAPURAM-695 001.
4. THE REGIONAL DEPUTY DIRECTOR
HIGHER SECONDARY EDUCATION, REGIONAL OFFICE, KANNUR.
5. THE REGIONAL DEPUTY DIRECTOR
HIGHER SECONDARY EDUCATION, REGIONAL OFFICE, KOZHIKODE-673 001.

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
05-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1- TRUE COPY OF THE ORDER NO.A6/931/2014 DATED 07.04.2014 ISSUED BY THE 4TH RESPONDENT.
- EXT.P2- TRUE COPY OF ORDER NO.A7/946/2014/K.DIS DATED 29.05.2014 ISSUED BY THE 4TH RESPONDENT IN RESPECT OF THE 2ND PETITIONER.
- EXT.P3- TRUE COPY OF NO.A7/945/2014/K.DIS DATED 28.05.2014 ISSUED BY THE 4TH RESPONDENT IN RESPECT OF THE 3RD PETITIONER.
- EXT.P4- TRUE COPY OF ORDER NO.A7/942/2014/K.DIS DATED 29.05.2014 ISSUED BY THE 4TH RESPONDENT IN RESPECT OF THE 4TH PETITIONER.
- EXT.P5- TRUE COPY OF ORDER NO.A1/12688/2013 K.DIS DATED 17.07.2014 ISSUED BY THE 4TH RESPONDENT IN RESPECT OF THE 5TH PETITIONER.
- EXT.P6- TRUE COPY OF MINUTES OF THE STAFF SELECTION COMMITTEE OF THE 3RD PETITIONER'S SCHOOL.
- EXT.P7- TRUE COPY OF DIRECTION GIVEN BY THE 2ND RESPONDENT TO RESPONDENTS 4 AND 5 DATED 19.12.2013.
- EXT.P8- TRUE COPY OF APPOINTMENT ORDERS ISSUED TO THE 1ST PETITIONER.
- EXT.P8(a)- TRUE COPY OF APPOINTMENT ORDERS ISSUED TO THE 2ND PETITIONER.
- EXT.P8(b)- TRUE COPY OF APPOINTMENT ORDERS ISSUED TO THE 3RD PETITIONER
- EXT.P8(c)- TRUE COPY OF APPOINTMENT ORDERS ISSUED TO THE 4TH PETITIONER
- EXT.P8(d)- TRUE COPY OF APPOINTMENT ORDERS ISSUED TO THE 5TH PETITIONER
- EXT.P9- TRUE COPY OF PETITION SUBMITTED BY THE 1ST PETITIONER.
- EXT.P9(a)- TRUE COPY OF PETITION SUBMITTED BY THE 5TH PETITIONER
- EXT.P10- TRUE COPY OF JUEGMENT DATED 10.01.2006 IN WP(C)No,10845/2005
- EXT.P11- TRUE COPY OF JUDGMENT DATED 22.05.2012 IN WP(C)No.5709/2007 PUBLISHED IN THE WEBSITE OF THIS HON'BLE COURT.
- EXT.P12- TRUE COPY OF THE ORDER No.B3/5085/RDEE/HSE/2013 DATED 14.06.2013 ISSUED BY THE REGIONAL DEPUTY DIRECTOR, HIGHER SECONDARY EDUCATION, ERNAKULAM.

- EXT.P13- TRUE COPY OF ORDER No.B3/5086/RDDE/HSE/2013 DATED 19.06.2013
ISSUED BY THE REGIONAL DEPUTY DIRECTOR, HIGHER SECONDARY
EDUCATION, ERNAKULAM.
- EXT.P14- TRUE COPY OF LETTER WRITTEN BY THE 2ND RESPONDENT TO THE
FIRST RESPONDENT DATED 11.04.2013.
- EXT.P15- TRUE COPY OF GO(MS) 211/2013/G.Edn DATED 15.07.2013.
- EXT.P16- TRUE COPY OF INTERIM ORDER DATED 23.06.2014 PASSED BY THIS
HON'BLE COURT IN WP(C)No.7660/14

RESPONDENT(S)' EXHIBITS

NIL

// True copy //

PA to Judge

das

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 25748 of 2014

Dated this the 5th day of August, 2015

JUDGMENT

The issue involved in the writ petition is covered by the decision of this court in the judgment dated 01.06.2015 in Writ Petition No.16683 of 2014. Accordingly, Ext.P15 Government Order in its application to the petitioners shall have effect from the commencement of the academic year 2011-2012, when the petitioners were actually appointed in the school and subject to physical verification as to whether the petitioners to qualify for the respective posts as on that date. The respondents shall ensure that the approval of the appointments of the petitioners is from their actual date of appointment, subject to the above observations. I make it clear that the respondents shall disburse all consequential benefits to the petitioners pursuant to their appointment as directed, within a period of three months from the date of receipt of a copy of this judgment.

Sd/-

**A.K.JAYASANKARAN NAMBIAR
JUDGE**