

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

WP(C).No. 26695 of 2014 (J)

PETITIONER(S):

**REENA MARY A.,
LOWER PRIMARY SCHOOL ASSISTANT (LPSA)
BALIKAMARIYAM L.P.S., KOLLAM - 691 012.**

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENT(S)/RESPONDENTS:-:

- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT
DEPARTMENT OF GENERAL EDUCATION, SECRETARIAT
THIRUVANANTHAPURAM - 695 001.**
- 2. DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM - 695 001.**
- 3. DEPUTY DIRECTOR OF EDUCATION,
KOLLAM - 691 001.**
- 4. DISTRICT EDUCATIONAL OFFICER,
KOLLAM - 691 001.**
- 5. ASSISTANT EDUCATIONAL OFFICER,
KOLLAM - 691 001.**
- 6. THE CORPORATE MANAGER,
DIOCESE OF QUILON
O/O.CORPORATE MANAGER OF CATHOLIC SCHOOLS
BISHOP'S HOUSE, KOLLAM - 691 007.**
- 7. LISSY L.,
UPSA, ST.MARGARET'S LPS, KANJIRACODE
(NOW AT BALIKAMARIYAM LPS, KOLLAM).**

R BY GOVERNMENT PLEADER SMT.LOWSY.A.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. TRUE COPY OF THE APPOINTMENT ORDER DATED 13.10.2011.
EXHIBIT P2. TRUE COPY OF THE LETTER DATED 02.08.2012.
EXHIBIT P3. TRUE COPY OF THE APPOINTMENT ORDER DATED 03.01.2012.
EXHIBIT P4. TRUE COPY OF THE LETTER DATED 02.08.2012.
EXHIBIT P5. TRUE COPY OF THE APPOINTMENT ORDDER DATED 04.06.2012.
EXHIBIT P6. TRUE COPY OF THE LETTER DATED 16.10.2012.
EXHIBIT P7. TRUE COPY OF THE APPEAL DATED 31.01.2013.
EXHIBIT P8. TRUE COPY OF G.O.(P)NO.294/2012 DATED 20.09.2012.
EXHIBIT P9. TRUE COPY OF THE ORDER DATED 03.06.2013.
EXHIBIT P10. TRUE COPY OF THE STAFF FIXATION ORDER 2010-2011.
EXHIBIT P11. TRUE COPY OF THE STAFF FIXATION ORDER 2014-2015.
EXHIBIT P12. TRUE COPY OF THE ORDER DATED 12.09.2014.
EXHIBIT P13. TRUE COPY OF THE REVISION PETITION DATED 04.10.2014
SUBMITTED BEFORE THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.26695 OF 2014 (J)

Dated this the 9th day of June, 2015

J U D G M E N T

The petitioner is presently working as Lower Primary School Assistant in Balikamariyam L.P.School, Kollam. She was appointed for three spells, namely, from 13.10.2011 to 9.12.2011, 3.1.2012 to 7.3.2012 and 4.6.2012 to 4.9.2013 as an Upper Primary School Assistant. The appointments for the said spells were sent up for approval, but the same was rejected by the Assistant Educational Officer. Further proceedings by way of appeal and revision also did not meet with any success, and, therefore, the petitioner preferred Ext.P13 revision before the 1st respondent and the same is stated to be pending before the 1st respondent. The limited prayer of the petitioner in the writ petition is for a direction to the respondents to approve the appointment of the petitioner with effect from the dates from which she was appointed as UPSA in the School.

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

Considering the facts and circumstances of the case as also the submissions made across the bar, I note that prayer in the writ petition is for a direction to the respondents to approve the appointment of the petitioner for the three spells of appointments, referred to above. Ext.P13 revision praying for the same relief is pending before the 1st respondent. Under the circumstances, I dispose the writ petition with a direction to the 1st respondent to consider and pass orders on Ext.P13 revision petition, after hearing the petitioner, within a period of three months from the date of receipt of a copy of this judgment.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp