

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 28TH DAY OF OCTOBER 2015/6TH KARTHIKA, 1937

WP(C).No. 30431 of 2012 (D)

PETITIONER :

**K. SHOWKATH
PRINCIPAL, P.K. KUNJU SAHIB MEMORIAL HIGHER SECONDARY SCHOOL
KAYAMKULAM, ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.R.RAJASEKHARAN PILLAI
SRI.R.SREEDHARAN NAIR
SMT.SABINA JAYAN**

RESPONDENT(S) :

- 1. THE KERALA WOMEN'S COMMISSION
REPRESENTED BY ITS SECRETARY
NEAR LOURD CHURCH, PMG, PATTOM P.O.
THIRUVANANTHAPURAM - 4.**
- 2. THE DIRECTOR,
KERALA WOMENS COMMISSION
NEAR LOURD CHURCH, PMG, PATTOM P.O.
THIRUVANANTHAPURAM - 4.**
- 3. JACOB JOB,
DIRECTOR, KERALA WOMEN'S COMMISSION,
NEAR LOURD CHURCH, PMG, PATTOM P.O.
THIRUVANANTHAPURAM - 4.**
- 4. ASHA BEEGUM,
W/O.SADATH ALI, HEADMISTRESS,
P.K.KUNJU SAHIB MEMORIAL HIGHER SECONDARY SCHOOL
KAYAMKULAM, RESIDING AT PUTHENPURAYIL HOUSE
KAYAMKULAM, ALAPPUZHA, PIN – 690 502.**

R1 & R2 BY ADV. SMT.APARVATHI MENON

**R3 BY ADVS. SRI.ALAN PAPALI
SRI.J.VIMAL**

**R4 BY ADVS. SRI.C.S.AJITH PRAKASH
SRI.PAUL C THOMAS**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28-10-2015,
ALONG WITH WP(C) NO. 4821/2014, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:**

Mn

...2/-

APPENDIX

PETITIONERS' EXHIBITS :

- EXT.P-1 TRUE COPY OF THE MEMO DATED 13.7.2012 ISSUED BY THE
MANAGER TO THE 4TH RESPONDENTS HUSBAND.
- EXT.P-2 TRUE COPY OF THE NOTICE DATED 12.11.2012 FROM THE 1ST
RESPONDENT TO THE PETITIONER.
- EXT.P-3 TRUE COPY OF THE COMPLAINT DATED 1.11.2012 SUBMITTED BY THE
4TH RESPONDENT TO THE 1ST RESPONDENT.
- EXT.P-4 TRUE COPY OF THE REPLY STATEMENT OF THE PETITIONER DATED
16.11.2012 SUBMITTED TO THE 1ST RESPONDENT ALONG WITH THE
STATEMENT OF THE MEMBERS OF THE PTA.
- EXT.P-5 TRUE COPY OF THE NOTICE DATED 6.11.2012 OF THE 1ST
RESPONDENT.
- EXT.P-6 TRUE COPY OF THE NOTICE DATED 7.12.2012 OF THE 1ST
RESPONDENT.
- EXT.P-7 TRUE COPY OF THE PETITION DATED 12.12.2012 SUBMITTED BEFORE
THE CHAIRPERSON OF THE 1ST RESPONDENT WITH CIRCULAR OF
THE DIRECTOR HSE.
- EXT.P-8 TRUE COPY OF THE COMPLAINT DATED 17.12.2012 SUBMITTED BY
THE PETITIONER BEFORE THE 1ST RESPONDENT.
- EXT.P-9 TRUE COPY OF THE COMPLAINT DATED 5.11.2012 FROM REKHA S
HSA (NS) TO THE PTA PRESIDENT.

RESPONDENTS' EXHIBITS :

- EXT. R4 (a) COPY OF THE NOTICE OF AWARD DISTRIBUTION CEREMONY.
- EXT. R4 (b) COPY OF THE REPLY SUBMITTED BY MR.P.S. SADATH ALI DATED
20.7.2012 TO THE MEMO DATED 13-7-2012.
- EXT. R4 (c) COPY OF THE REPRESENTATION DATED 20.11.2012 SUBMITTED BY
THE PETITIONER TO THE REGIONAL DEPUTY DIRECTOR.
- EXT. R4 (d) COPY OF THE ANONYMOUS LETTER DATED 9.10.2012 SUBMITTED TO
THE PTA PRESIDENT.
- EXT. R4 (e) COPY OF THE NOTICE ISSUED BY THE PTA PRESIDENT DATED
15.10.2012 ARRANGING A MEETING ON 17.10.2012.
- EXT. R4 (f) COPY OF THE NOTICE OF A FORMER PTA MEETING DATED 6.9.2012.

(Contd...)

- EXT. R4 (g) COPY OF THE COMPLAINT DATED 18.10.2012 SUBMITTED BY THE NON-TEACHING AND TEACHERS OF THE SCHOOL.**
- EXT. R4 (h) COPY OF THE COMPLAINT DISOWNING THE ANONYMOUS LETTER WAS SUBMITTED BY THE NON-TEACHING STAFFS TO THE PTA PRESIDENT AND PTA EXECUTIVE DATED 25.10.2012.**
- EXT. R4 (i) COPY OF THE COMPLAINT DATED 18.10.2012 SUBMITTED BY THE PETITIONER TO THE MANAGER.**
- EXT. R4 (j) COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER TO THE TRUST MANAGER CUM SECRETARY DATED 13.12.2012.**
- EXT. R4 (k) COPY OF THE COMPLAINT SUBMITTED TO THE SHO, KAYAMKULAM DATED 20.12.2012.**
- EXT. R4 (l) COPY OF NOTICE ISSUED TO THE RESPONDENT'S HUSBAND MR. SADATH ALI DATED 19.11.2012.**
- EXT. R4 (m) COPY OF THE REPLY GIVEN BY MR. SADATH ALI DATED 21.11.2012.**
- EXT. R4 (n) COPY OF THE WRITTEN REQUEST BY THIS RESPONDENT TO THE WOMEN'S COMMISSION.**

//TRUE COPY//

P.A. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.30431/2012 and 4821/2014

Dated this the 28th day of October, 2015

JUDGMENT

The matter was referred to Mediation and the mediation report on board that the matter has been settled before the Mediator. In view of the settlement before the Mediator, these writ petitions are closed.

The original documents produced by the Kerala Women's Commission shall be returned to the learned standing counsel for the Kerala Women's Commission.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

In

BEFORE THE HONOURABLE HIGH COURT OF KERALA,
ERNAKULAM

W.P.(C) No.4821/2014
&
W.P.(C). No.30431/2012

Asha Beegum

: Petitioner

Vs.

Kerala Women's Commission

: Respondents

MEMORANDUM OF MEDIATION SETTLEMENT AGREEMENT UNDER
SECTION 89 OF THE CODE OF THE CIVIL PROCEDURE READ WITH
RULES 24 OF THE CIVIL PROCEDURE (MEDIATION) RULES, 2008.

The parties above named submit as follows:

The aforesaid matter was referred to Adv. P.T. Girijan, Accredited Mediator,
Ernakulam Mediation and Conciliation Centre for resolving the dispute
between the parties. In the course of mediation, they have resolved their
dispute and have agreed to settle the matter with the following terms and
conditions:

1. The petitioner in WPC.30431/2012 will render all assistance to the
Head mistress to take follow up action in the issue of theft incident
occurred in the computer lab by pursuing the complaint before
the Police till the end of the investigation.

Kerala State Mediation and Conciliation Centre
High Court of Kerala
Kochi - 682 031

2. Petitioner in WPC/ Principal will inform the Agenda of PTA meeting well in advance to the head Mistress /party respondent and will mandatorily follow the guidelines prescribed in the functioning of PTA. The Secretary of the PTA will record accurate minute of the PTA and the same will read over to the members, and shall record dissenting note if any in the minute book.
3. In matters with regard to the functioning of PTA both parties shall strictly follow the Government orders and circumstances in this regard.
4. The petitioner in WPC.30431/2012 will not raise the dispute of staff inter-see in the PTA or in the joint staff meeting.
5. The principal will give due importance to the H.M. in all public function connected with the school.
6. The funds of the PTA will be promptly deposited in the joint account maintained for the same with the knowledge of the Head Mistress.
7. The dispute if any between the parties will be resolved before the Manager of the school.



STATE SECRETARY
High Court of Madras
KODAI-KURU DISTRICT
KODAI-KURU

8. The Principal shall afford all co-operation to the H.M., in all academic and Co-Curricular activities of the school, where the joint participation of the I.S. Section and H.S.S. Section are necessary.

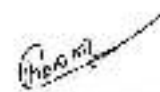
9. The above writ petition is hereby amicably settled between the parties hereto and in view of this settlement the above writ petitioner can be closed.

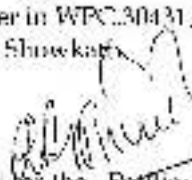
10. On the basis of the above conditions the petitioner in Writ Petition No.4821/2014 shall withdraw her complaint before the Kerala Women's Commission and consequently Writ Petition No. 30431/2012 become close.

Dated this the 26th day of August, 2014.


Petitioner in WPC 4821/2014
Asha Begum


Counsel for the Petitioner
in WPC.4821/2014


Petitioner in WPC.30431/2012
K. Shewkar


Counsel for the Petitioner in
in WPC.30431/2012