

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

WP(C).No. 26738 of 2015 (N)

PETITIONER(S):

**P.P.RAJAN, AGED 52 YEARS
S/O CHAPPAN, PUTHAN PURAYIL HOUSE
THRIKKOTTUR AMSOM DESOM
POST THIKKODI, KOYILANDI TALUK
KOZHIKODE DISTRICT
KERALA STATE - 673 529**

**BY ADVS.SRI.B.KRISHNAN
SRI.R.PARTHASARATHY**

RESPONDENT(S):

- 1. THE ASSISTANT EDUCATION OFFICER
MELADY SUB DISTRICT EDUCATIONAL OFFICE
POST MELADY, KOYILANDY TALUK, KOZHIKODE DISTRICT
KERALA STATE - 673 305**
- 2. THE STATE OF KERALA, REPRESENTED BY
SECRETARY (EDUCATION) SECRETARIAT
THIRUVANANTHAPURAM - 695 001.**

R BY GOVERNMENT PLEADER SMT.M.J. RAJASREE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONERS EXHIBITS

- EXT.P1 COPY OF MINUTES OF THE MEETING HELD ON 16.11.2014.
- EXT.P2 COPY OF THE MEMORANDUM OF ASSOCIATION AND RULES
GOVERNING THE EDUCATIONAL AGENCY.
- EXT.P3 COPY OF THE LETTER BY FIRST RESPONDENT TO THE
PETITIONER DATED 28.1.15.
- EXT.P4 COPY OF THE ORDER BY MUNSIFF PAYYOLI IN OS 2/2015
DATED 11.3.15.
- EXT.P5 COPY OF THE REQUEST BY THE PETITIONER TO THE FIRST
RESPONDENT DATED 13.3.15.
- EXT.P6 COPY OF THE LETTER BY THE FIRST RESPONDENT TO THE
PETITIONER DATED 28.3.15.
- EXT.P7 COPY OF THE LETTER BY ADV. N.K PARAMESWARAN TO THE
FIRST RESPONDENT DATED 25.3.15.
- EXT.P8 COPY OF THE LETTER BY FIRST RESPONDENT TO ADV.N.K.
PARAMESWARAN DATED 19.4.15.

RESPONDENTS EXHIBITS: **NIL**

// TRUE COPY //

PA TO JUDGE.

SB

K. VINOD CHANDRAN, J.

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Dated this the 4th day of September, 2015

J U D G M E N T

The petitioner is aggrieved with the fact that the new incumbent in the office of the 1st respondent has not considered the application for approval of the Manager. Admittedly there is a suit pending before the Munsiff Court, Payyoli with respect to the managership of the Thrikkottur A.U.P School.

2. Though the petitioner is a defendant in the suit, an injunction order sought was declined by the Munsiff Court, which is evidenced by Ext.P4. In such circumstance, it is only proper that the Assistant Educational Officer, the 1st respondent herein consider the application for approval, Ext.P5, if necessary, after hearing the other party, within a period of two months from the date of receipt of the certified copy of this judgment. Needless

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to say that the approval would be subject to the result of the suit.

The writ petition is disposed of.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

SB

// true copy //

P.A to Judge.