

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 27TH DAY OF NOVEMBER 2015/6TH AGRAHAYANA, 1937

WP(C).No. 28011 of 2014 (B)

PETITIONER:

**MANAGER, AEPM HIGHER SECONDARY SCHOOL
IRUMPANANGAD, EZHUKONE, KOLLAM DISTRICT.**

BY ADV. SRI.PAULSON THOMAS

RESPONDENTS:

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY
GENERAL EDUCATION DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM-695 001.**
- 2. DIRECTOR OF HIGHER SECONDARY EDUCATION
HOUSING BOARD BUILDING, THIRUVANANTHAPURAM-695 001.**
- 3. REGIONAL DEPUTY DIRECTOR OF HIGHER SECONDARY EDUCATION
KOTTAYAM 686 001.**

BY GOVERNMENT PLEADER VIJU THOMAS

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27-11-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 : COPY OF G.O(MS) NO.167/2011/GEN.EDN. DATED 3.8.2011.
- EXT.P2 : ENGLISH TRANSLATION OF THE MALAYALAM PORTION OF EXT.P1.
- EXT.P3 : COPY OF G.O(MS) NO.18/91/GEN.EDN. DATED 01.02.1991.
- EXT.P4 : COPY OF G.O(MS) NO.398/2002/GEN.EDN. DATED 29.11.2002.
- EXT.P5 : COPY OF CIRCULAR NO.AD.B1-7225/00/HSE DATED 30.5.2000 ISSUED BY THE DIRECTOR.
- EXT.P6 : COPY OF ORDER IN WP(C) NO.37392 OF 2009 DATED 11.02.10.
- EXT.P7 : COPY OF G.O(MS) NO. 211/2013/GEN.EDN DATED 15.07.2013.
- EXT.P8 : COPY OF G.O(MS) NO. 26/2014/GEN.EDN DATED 01.02.2014.
- EXT.P9 : COPY OF G.O(MS) NO. 121/2014/GEN./EDN DATED 03.07.14.
- EXT.P10 : COPY OF STAFF FIXATION ORDER PURSUANT TO P7.
- EXT.P11 : COPY OF RELEVANT PORTION OF ANOMALY REPORT NO. ACD-C323785/2013/HSE DATED 11.10.13 MADE BY 2ND RESPONDENT TO THE GOVERNMENT.
- EXT.P12 : COPY OF THE PROCEEDINGS UNDER THE RTI ACT.
- EXT.P13 : ENGLISH TRANSLATION OF EXT.P12.
- EXT.P14 : COPY OF REQUEST BEFORE DIRECTOR DATED 11.07.2014.
- EXT.P14(A) : ENGLISH TRANSLATION OF P14.
- EXT.P15 : COPY OF AD CARD.

RESPONDENTS' EXHIBITS:- NIL

//TRUE COPY//

P.A. TO JUDGE

K. VINOD CHANDRAN, J.

W.P(C). No.28011 of 2014-B

Dated this the 27th day of November, 2015.

JUDGMENT

The Corporate Manager is before this Court seeking approval of the post of HSST (Junior) English in the petitioner's School. The petitioner's School, along with other Schools, was sanctioned an additional batch by Ext.P1; and while creation of posts by GO(MS) No.211/2013/Gen.Edn. dated 15.07.2013, produced as Ext.P7, the petitioner's School was left out. In such circumstance, the Director of Higher Secondary Education had addressed the Government and the Government by GO (MS) No.202/2015/ Gen.Edn. dated 28.07.2015 created a post of HSST (Junior) English in the School, w.e.f. 15.07.2013. The petitioner appointed a teacher in the post on 15.07.2013.

In such circumstances, there will be a direction to the 3rd respondent to approve the appointment to the post of HSST (Junior) English in the petitioner's School, verifying the sanction as per Ext.P1 and the creation of post as per Government Order dated 28.07.2015 with effect from

15.07.2013. The consideration shall be made within a period of two months from the date of receipt of the certified copy of this judgment and the salary shall be disbursed within three months from the date of approval.

The writ petition is disposed of.

Sd/-

**K. VINOD CHANDRAN,
JUDGE.**

//True Copy//

P.A. to Judge.

sp/27/11/18