

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 15TH DAY OF SEPTEMBER 2015/24TH BHADRA, 1937

WP(C).No. 27894 of 2015 (J)

PETITIONER:

**ANAS ABBAS, PART TIME L.G. (URUDU), UPSA, APPM HS
AVANEESWARAM, PATHANAPURAM, KOLLAM-691 508
RESIDING AT PANAMOOTTIL VEEDU, KARALIKONAM
ARKANNOOR P.O., KOLLAM.**

BY ADV. SRI.S.SHAJI

RESPONDENTS:

- 1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY
GENERAL EDUCATION DEPARTMENT
GOVERNMENT SECRETARIAT
THIRUVANABNTHAPURAM-695 001.**
- 2. THE DIRECTOR OF PUBLIC INSTRUCTIONS
DIRECTORATE OF PUBLIC INSTRUCTION
JAGATHI, THIRUVANABNTHAPURAM DISTRICT-695 014.**
- 3. THE DISTRICT EDUCATIONAL OFFICER
OFFICE OF THE DISTRICT EDUCATIONAL OFFICER
PUNALUR, KOLLAM DISTRICT-691 305.**
- 4. THE HEADMISTRESS, APPM HS
AVANEESWARAM, PATHANAPURAM
KOLLAM-691 508.**
- 5. THE MANAGER, APPM HS
AVANEESWARAM, PATHANAPURAM
KOLLAM-691 508.**

BY GOVERNMENT PLEADER SRI.P.M. JOSEPH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
15-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:-

- EXHIBIT P1 - COPY OF THE APPOINTMENT ORDER DATED 02.06.2008
ISSUED BY THE 5TH RESPONDENT.
- EXHIBIT P2 - COPY OF THE ORDER NO.B3/5879/2012 DIS DATED 09.12.2012
ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT P3 - COPY OF THE G.O.(P) NO.10/10G.EDN. DATED 12.01.2010.
- EXHIBIT P4 - COPY OF THE STAFF FIXATION ORDER DURING THE ACADEMIC
YEAR OF 2008-09 OF APPM HS, AVANEESWARAM.
- EXHIBIT P5 - COPY OF THE STAFF FIXATION ORDER DURING THE
ACADEMIC YEAR OF 2009-10 OF APPM HS, AVANEESWARAM.
- EXHIBIT P6 - COPY OF THE STAFF FIXATION ORDER DURING THE
ACADEMIC YEAR OF 2010-11 OF APPM HS, AVANEESWARAM.
- EXHIBIT P7 - COPY OF THE ORDER NO.E.T.(A)/3927/12/D.P.I./K.DIS DATED
14.09.2012 ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT P8 - COPY OF THE REPRESENTATION DATED 20.08.2015 BY THE
PETITIONER BEFORE THE 1ST RESPONDENT.

RESPONDENTS' EXHIBITS:- NIL

//TRUE COPY//

P.A. TO JUDGE

sp

K. VINOD CHANDRAN, J.

W.P(C). No.27894 of 2015

Dated this the 15th day of September, 2015.

JUDGMENT

The petitioner was appointed as a Part Time Urudu teacher on 20.07.2006, but his appointment was approved with effect from 01.06.2011 as per Ext.P2. The petitioner submits that it is violation of Rule 6(c) of Chapter XXIII of KER. The petitioner approached the first respondent by filing Ext.P8 representation contending that, he is eligible to be promoted as Full Time LG (Urudu) with effect from 20.07.2011, since, the petitioner has completed five years' service in the cadre of Part Time, but the same is not considered so far. The prayer of the petitioner is to direct the first respondent to consider and dispose of Ext.P5 appeal within a reasonable period.

In such circumstances, there will be a direction to the first respondent to consider and dispose of Ext.P8 representation as

expeditiously as possible and after giving an opportunity of hearing to the petitioner, at any rate, within three months from the date of receipt of a certified copy of this judgment. It is made clear that, this Court has not made any observation on merits, which the first respondent will consider in accordance with law.

The writ petition is disposed of.

Sd/-

**K. VINOD CHANDRAN,
JUDGE**

sp

The date occurring in the first sentence of the judgment as "20.07.2006" and the words "Ext.P5 appeal" in the last sentence of the first paragraph of the judgment are corrected as "02/06/2008" and "Exhibit P8 representation" respectively, as per order dated 12/10/2015 in I.A.14500/2015 in W.P.(C) No. 27894/2015.

Sd/-

REGISTRAR (JUDICIAL)