

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

WP(C).No. 28116 of 2015 (L)

PETITIONER(S):

**S. SUNIL, AGED 46 YEARS,
S/O.SAHARAJAN, UPSA, SIVAGIRI HSS,
VARKALA, THIRUVANANTHAPURAM DISTRICT.**

**BY ADVS.SRI.T.H.ABDUL AZEEZ,
SRI.A.MOHAMED BASHEER (MANGALAPURAM),
SRI.A.SHAHEER.**

RESPONDENT(S):

- 1. THE PRINCIPAL SECRETARY OF EDUCATION,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 2. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM-695 001.**
- 3. DISTRICT EDUCATION OFFICER, ATTINGAL-695 101.**
- 4. THE HEADMISTRESS, SIVAGIRI H.S.S.,
S.V. PURAM P.O., VARKALA-695 141.**
- 5. THE CORPORATE MANAGER,
SREE NARAYANA DHARMA SNGHAM TRUST,
SIVAGIRI MUTT, VARKALA-695 141.**

R1 TO R3 BY SR. GOVT. PLEADER SMT.M.J. RAJASREE.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 28116 of 2015 (L)

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE JUDGMENT DATED 13/12/2012 IN WP(C).NO.29795/2012.**
- EXT.P2 COPY OF THE ORDER OF THE 2ND RESPONDENT DATED 26/09/2013.**
- EXT.P3 COPY OF THE REPRESENTATION DATED 01/08/2015 SUBMITTED BY
THE PETITIONER THROUGH PROPER CHANNEL TO THE
2ND RESPONDENT.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

ANIL K.NARENDRA, J.

W.P.(C)No.28116 of 2015

Dated this the 17th day of September, 2015

JUDGMENT

The petitioner, who is an Upper Primary School Assistant in the School managed by the 5th respondent, has filed this Writ Petition seeking a writ of mandamus commanding the respondents to disburse his pending salary immediately. He has also sought for a writ of mandamus commanding the 2nd respondent to dispose of Ext.P3 representation, as expeditiously as possible, within a time frame which may be fixed by this Court.

2. The grievance of the petitioner in this Writ Petition is that he is entitled to get salary from July, 2013 onwards and in spite of the repeated representations his grievance is yet to be redressed. One of such representations submitted by the petitioner before the respondents through proper channel is Ext.P3. Therefore the learned counsel for the petitioner would submit that, for the time being the petitioner will be satisfied if the 2nd respondent is directed to consider and pass appropriate orders on Ext.P3 representation, within a time limit that may be fixed by this Court.

3. I heard the arguments of the learned counsel for the petitioner and also the learned Government Pleader appearing for respondents 1 to 3.

4. Since the grievance highlighted by the petitioner in Ext.P3 is still pending consideration before the 2nd respondent, I deem it appropriate to dispose of the Writ Petition without going into the merits of the contentions raised by the petitioner.

5. In the result, this Writ Petition is disposed of directing the 2nd respondent to consider and pass appropriate orders on Ext.P3 representation submitted by the petitioner, as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a certified copy of this judgment with notice to the petitioner and also to respondents 4 and 5.

It is made clear that this Court has not expressed anything on the merits of the claim made by the petitioner and it is for the 2nd respondent to take an appropriate decision strictly in accordance with law.

Sd/-

ANIL K.NARENDRA, JUDGE

skj