

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDHAN

FRIDAY, THE 18TH DAY OF SEPTEMBER 2015/27TH BHADRA, 1937

WP(C).No. 28383 of 2015 (W)

PETITIONER(S) :

**K.R.CHANDRASEKHER RAM, AGED 63 YEARS,
SON OF K.A.RAMANKUTTY, KARUVATHIL HOUSE,
PERINJANAM EAST, CHAKKARAPPADAM
(MANAGER, AYYAPPAN MEMORIAL L.P.SCHOOL, PERINJANAM,
THRISSUR DISTRICT- 680 686).**

**BY ADVS.SRI.V.A.MUHAMMED
SRI.M.SAJJAD**

RESPONDENT(S) :

- 1. THE STATE OF KERALA, REPRESENTED BY ITS
SECRETARY TO GOVERNMENT, GENERAL EDUCATION
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM- 695 001.**
- 2. THE ASSISTANT EDUCATIONAL OFFICER,
VALAPPAD, THRISSUR DISTRICT-680 567.**
- 3. SMT.N.V.JYOTHI,
HEADMISTRESS, AYYAPPAN MEMORIAL L.P.SCHOOL,
PERINJANAM, THRISSUR DISTRICT- 680 686.**

R1 & R2 BY GOVERNMENT PLEADER SMT.LOWSYA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 28383 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE ORDER OF THE MANAGER DATED 12.08.2015.

EXHIBIT P2: TRUE COPY OF THE LETTER OF THE MANAGER DATED 12.08.2015.

**EXHIBIT P3: TRUE COPY OF THE ORDER NO.D-2223/14 OF
THE 2ND RESPONDENT.**

**EXHIBIT P4: TRUE COPY OF THE ORDER OF THE DEPUTY DIRECTOR OF
EDUCATION DATED 23.07.2015.**

**EXHIBIT P5: TRUE COPY OF THE REVISION PETITION FILED BEFORE
THE GOVERNMENT DATED 25.08.2015 WITHOUT ANNEXURES.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

PA.TO JUDGE.

Msd.

ANIL K.NARENDRA, J.

W.P.(C)No.28383 of 2015

Dated this the 18th day of September, 2015

JUDGMENT

The petitioner, who is the Manager of Ayyappan Memorial L.P.School at Perinjanam in Thrissur District, has filed this Writ Petition seeking a writ of certiorari to quash Ext.P3 order and seeking a writ of mandamus commanding the 2nd respondent to grant sanction for continuance of the suspension of the 3rd respondent, the Headmistress of the School, beyond 15 days. The petitioner has also sought for a writ of mandamus commanding the 1st respondent to effectively consider and pass appropriate orders on Ext.P5, after affording an opportunity of being heard to the petitioner.

2. Going by the averments in the Writ Petition the 3rd respondent who was working as Headmistress of the School managed by the petitioner was placed under suspension alleging misconduct by Ext.P1 proceedings dated 12.8.2015. After Ext.P1 order of suspension the petitioner submitted Ext.P2 request before the Assistant Educational Officer seeking permission to keep

delinquent teacher under suspension beyond 15 days, which was declined by Ext.P3 order passed by the Assistant Educational Officer. Against Ext.P3 order the petitioner filed Ext.P5 revision petition before the 1st respondent as provided under Rule 92 of Chapter XIV-A of the Kerala Education Rules. Now the grievance of the petitioner is that Ext.P5 revision is still pending consideration before the 1st respondent.

3. I heard the arguments of the learned counsel for the petitioner and also the learned Government Pleader appearing for respondents 1 and 2.

4. Considering the fact that the statutory revision filed by the petitioner Manager under Rule 92 of Chapter XIV-A of the Kerala Education Rules, against Ext.P3 order passed by the Assistant Educational Officer is pending consideration before the 1st respondent, I deem it appropriate to dispose of this Writ Petition without going into the merits of the contentions raised by the petitioner.

In the result, this Writ Petition is disposed of directing the 1st respondent to consider and pass appropriate orders on Ext.P5

revision submitted by the petitioner, strictly in accordance with law, 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 the 3rd respondent.

Sd/-

ANIL K.NARENDRA, JUDGE

skj