

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

WP(C).No. 28717 of 2015 (L)

PETITIONER(S):

JOLLY T JOSEPH AGED 47 YEARS
HERBARIUM KEEPER, NIRMALA COLLEGE, MUVATTUPUZHA
ERNAKULAM DISTRICT-686661.

BY ADVS.SRI.V.VARGHESE
SRIJELSON J.EDAMPADAM

RESPONDENT(S):

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
HIGHER EDUCATION DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM-695001.
2. THE DIRECTOR OF COLLEGIATE EDUCATION
DIRECTORATE OF COLLEGIATE EDUCATION, VIKAS BHAVAN
THIRUVANANTHAPURAM-695033.
3. THE MANAGER
NIRMALA COLLEGE, MUVATTUPUZHA
ERNAKULAM DISTRICT-686661.

R BY GOVERNMENT PLEADER SMT. A LOWSY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 : TRUE COPY OF THE RELEVANT EXTRACT OF THE 1998 PAY REVISION ORDER.

EXT.P2 : TRUE COPY OF THE RELEVANT EXTRACT OF THE 2004 PAY REVISION ORDER.

EXT.P3 : TRUE COPY OF THE RELEVANT EXTRACTS OF THE 2009 PAY REVISION ORDER.

EXT.P4 : TRUE COPY OF THE GO(MS)NO.349/2013/169/FIN DT.17-7-2013.

EXT.P5 : TRUE COPY OF THE REPRESENTATION DT.20-7-2015 SUBMITTED BY THE PETITIONER BEFORE R1.

EXT.P6 : TRUE COPY OF THE LETTER DT.3-8-2015 OF THE PETITIONER TO R1.

EXT.P7 : TRUE COPY OF THE POSTAL ACKNOWLEDGMENT CARD DT.22-7-2015.

EXT.P8 : TRUE COPY OF THE POSTAL ACKNNOWLEDGMENT CARD DT.6-8-2015.

EXT.P9 : TRUE COPY OF THE GOVERNMENT LETTER NO.23721/D3/15/H.EDN DT.5-8-2015.

RESPONDENT(S)' EXHIBITS: NIL

TRUE COPY

P.A TO JUDGE

jma

K. VINOD CHANDRAN, J

W.P(C) No. 28717 of 2015

Dated this the 30th day of September, 2015

J U D G M E N T

The petitioner had filed a representation at Exts.P5 and P6 with respect to the disparity in pay scales of Herbarium Keeper and L.D Typist promoted from the Last Grade Servants, at the time of grant of time bound Higher Grade in the promotion post. There is a disparity insofar as the L.D Typists getting better monetary benefit than that of the Herbarium Keepers.

2. The representations were forwarded by the 1st respondent to the Directorate of Collegiate Education as is seen at Ext.P9. However, it is submitted that the 2nd respondent has no authority to consider the same and it is only proper that the 1st respondent consider it in accordance with law.

3. In such circumstance, the 2nd respondent is directed to re-transmit the copy of the representation at Exts.P5 and P6 to the 1st respondent and the 1st respondent shall afford an opportunity of hearing to the petitioner and consider the same in accordance with

law, within a period of 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 merit.

Writ petition is disposed of.

SD/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge