

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936

WP(C) .No. 30893 of 2014 (J)

PETITIONER(S) :

1. GREATEL FRANCIS PARAMEL,
ASSISTANT PROFESSOR, DEPARTMENT OF PHYSICS,
CARMEL COLLEGE, MALA, THRISSUR DISTRICT.
2. NITHYA P. ,
ASSISTANT PROFESSOR, DEPARTMENT OF PHYSICS,
CARMEL COLLEGE, MALA, THRISSUR DISTRICT.
3. LALY A.S. ,
ASSISTANT PROFESSOR, DEPARTMENT OF PHYSICS,
CARMEL COLLEGE, MALA, THRISSUR DISTRICT.

BY ADVS.SRI.B.UNNIKRISHNA KAIMAL
SRI.V.MADHUSUDHANAN.

RESPONDENT(S) :

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF HIGHER EDUCATION, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
2. THE DIRECTOR OF COLLEGIATE EDUCATION,
VIKAS BHAVAN, THIRUVANANTHAPURAM - 695 033.
3. THE UNIVERSITY OF CALICUT,
REPRESENTED BY ITS REGISTRAR, UNIVERSITY OF CALICUT,
PIN - 673 635.
4. THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION,
THRISSUR - 688 001.
5. THE PRINCIPAL,
CARMEL COLLEGE, MALA, THRISSUR DISTRICT - 680 732.

BY SENIOR GOVERNMENT PLEADER SMT.A.LOWSY &
BY SRI.SANTHOSH MATHEW,SC,CALICUTY UNIVERSITY.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 19-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXT. P1 - TRUE COPY OF THE ADVERTISEMENT PUBLISHED ON 09.4.12 IN KERALA KAUMUDI DAILY.
- EXT. P2 - TRUE COPY OF THE ORDER NO. 4/2012 DT. 01.6.12 ISSUED BY THE MANAGER, CARMEL COLLEGE, MALA TO THE 1ST PETITIONER.
- EXT. P3 - TRUE COPY OF THE ORDER NO. 9/2012 DT. 03.9.12 ISSUED BY THE MANAGER, CARMEL COLLEGE, MALA TO THE 2ND PETITIONER.
- EXT. P4 - TRUE COPY OF THE ORDER NO. 5/2012 DT.01.6.12 ISSUED BY THE MANAGER, CARMEL COLLEGE, MALA TO THE 3RD PETITIONER.
- EXT. P5 - TRUE COPY OF THE LETTER NO. 158/2012 DT. 10.7.12 OF THE 5TH RESPONDENT TO THE DY.REGISTRAR (GA-II) OF THE 3RD RESPONDENT UNIVERSITY.
- EXT. P6 - TRUE COPY OF THE LETTER NO. 159/2012 DT. 10.7.12 OF THE 5TH RESPONDENT TO THE DY.REGISTRAR (GA-II) OF THE 3RD RESPONDENT UNIVESITY.
- EXT. P7 - TRUE COPY OF THE LETTER NO. 384/2012 DT. 31.10.12 OF THE 5TH RESPONDENT TO THE 3RD RESPONDENT.
- EXT. P8 - TRUE COPY OF THE ORDER NO. GA1/D2/3088/2000 DT. 10/6/2005 ISSUED BY THE 3RD RESPONDENT.
- EXT. P9 - TRUE COPY OF THE G.O(MS) NO. 260/2010/H.EDN DT. 20.8.10.
- EXT. P10 - TRUE COPY FOTHE LETTER NO. 318/2010 DT. 10.11.10 OF THE 5TH RESPONDENT TO THE 4TH RESPONDENT.
- P10(A) - ENGLISH VERSION OF EXT.P10.
- EXT. P11 - TRUE COPY OF THE WORK LOAD STATEMENT IN RESPECT OF PHYSICS IN CARMEL COLLEGE, MALA IN FORMAT 1 FRO THE YEAR 2009-2010 BASED ON STUDENTS STRENGTH AS ON 01.11.2009.
- EXT. P12- TRUE COPY OFTHE PROFORMA - II STATEMENT SUBMITTED BY THE 5TH RESPONDENT.
- EXT. P13 - TRUE COPY OF THE LETTER NO.A3/195/11 DT. 19.2.11 OF THE 4TH RESPONDENT TO THE 2ND RESPONDENT.

EXT. P13 (A) - ENGLISH VERSION OF EXT. P13.

EXT. P14 - TRUE COPY OF THE ADALATH REPORT HELD ON 24.3.11.

EXT. P15 - TRUE COPY OF THE LEETER NO. 13446/D2/2011/H.EDN DT. 17.8.11 OF THE 1ST RESPONDENT TO THE 2ND RESPONDENT.

EXT. P15 (A) - ENGLISH VERSION OF EXT. P15.

EXT. P16 - TRUE COPY OF THE LETTER NO. 450/2012 DT. 30.11.12 OF THE 5TH RESPONDENT TO THE 3RD RESPONDENT.

EXT. P17 - TRUE COPY OF THE LETTER NO. 7614/GA-II-A3/2012/CU DT. 28.6.13 OF THE 3RD RESPONDENT TO THE 5TH RESPONDENT.

EXT. P18 - TRUE COPY OF THE REPRESNETATION DT. 19.5.14 SUBMITTED BY THE 1ST PETITIONER TO THE PRO VICE CHANCELLOR, UNIVERSITY OF CALICUT.

EXT. P19 - TRUE COPY OF THE LETTER NO. 10791/GA-II/A3/2013/CU DT. 14.6.14 OF THE 3RD RESPONDENT TO THE 1ST PETITIONER.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.30893 of 2014

Dated this the 19th day of March, 2015

JUDGMENT

Petitioners were appointed as Assistant Professors in the Department of Physics in Carmel College, Mala, affiliated to the Calicut University. This writ petition pertains to the approval of their appointment by the University.

2. By interim order dated 19.1.2015, this Court directed the University to assess the workload. It is admitted by the University that they have assessed the workload on 18.2.2015 and in that view of the matter, there shall be a direction to the University to consider the approval of the petitioners based on the workload assessed within a period of two months. After approval, the entire arrears of salary shall be paid within three months.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE