

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 28TH DAY OF JANUARY 2015/8TH MAGHA, 1936

WP(C).No. 31661 of 2014 (G)

PETITIONER(S):

ROSE MARY BOBAN AGED 33 YEARS
H.S.S.T.(JR.), MATHEMATICS
ST.THOMAS HIGHER SECONDARY SCHOOL, KELAKAM.P.O.
KANNUR DISTRICT, PIN-670 679.

BY ADVS.SRI.V.C.JAMES
SRI.SEBASTIAN JOSEPH (KURISUMMOOTIL)

RESPONDENTS:

1. THE STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM. 695 001.

2. THE DIRECTOR OF HIGHER SECONDARY EDUCATION
THIRUVANANTHAPURAM. 695 001.

3. THE REGIONAL DEPUTY DIRECTOR
HIGHER SECONDARY EDUCATION, REGIONAL OFFICE
KOZHIKODE. 673 001.

4. THE MANAGER
ST.THOMAS HIGHER SECONDARY SCHOOL, KELAKAM
KANNUR DISTRICT. 670 679.

R BY GOVERNMENT PLEADER: SMT LOWSY A

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
28-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS:

EXT P1- TRUE COPY OF CIRCULAR NO.B5/47005/HSE/2010 DATED 15.11.2011
OF THE DIRECTOR OF HIGHER SECONDARY EDUCATION.

EXT P2- TRUE COPY OF THE ORDER NO.B4/14035/2011(4) DATED 11.9.2012 OF
THE 3RD RESPONDENT.

EXT P3- TRUE COPY OF G.O.(MS)NO.126/1992/G.EDN. DATED 17.6.1992.

EXT P4- TRUE COPY OF THE JUDGMENT DATED 11.9.2013 IN W.P[C]
NO.21232/2013 OF THIS HON'BLE COURT.

EXT P5- TRUE COPY OF G.O.(RT)NO.3610/2014/G.EDN. DATED 16.9.2014.

EXT P6- TRUE COPY OF COMMON JUDGMENT DATED 04.12.2014 IN WP(C) .
NO.15651/2014 AND 11048/2014

RESPONDENT(S) ' EXHIBITS:NIL

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.31661 of 2014
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Dated this the 28th day of January, 2015

JUDGMENT

It is submitted that the issues involved in the writ petitions are covered in favour of the petitioner in the light of the judgment of this Court in W.P(C).No.15651 of 2014 and 11048 of 2013.

2. In view of the above, condition in Ext.P2 that the candidate is not eligible for salary during vacation is set aside. Consequently, there shall be a direction to the third respondent to disburse eligible vacation salary to the petitioner within a period of three months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

Sbna/29/01/15