

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 23RD DAY OF JANUARY 2015/3RD MAGHA, 1936

WP(C).No. 32869 of 2014 (G)

PETITIONER(S):

**K.R.CHANDRA BABU,
S/O. KRISHNAN NAIR, GEETHA BHAVAN, THANNEERSHALA
MARUTHUMMOODU, POTHENCODE P.O., VEMBAYAM VILLAGE
THIRUVANANTHAPURAM DISTRICT -695 584, (WORKING AS U.P.S.A
GOVT. HIGHER SECONDARY SCHOOL, AYIROOPPARA
THIRUVANANTHAPURAM).**

**BY ADVS.SRI.V.G.ARUN
SRI.T.R.HARIKUMAR**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY
GENERAL EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM - 695 001.**
- 2. THE DIRECTOR OF PUBLIC INSTRUCTION
DIRECTORATE OF PUBLIC INSTRUCTION, JAGATHY
THIRUVANANTHAPURAM - 695 014.**
- 3. THE DEPUTY DIRECTOR OF EDUCATION
OFFICE OF THE DEPUTY DIRECTOR OF EDUCATION
KILLIPPALAM, THIRUVANANTHAPURAM - 695 002.**
- 4. B.OMANAKUTTY AMMA
HEADMISTRESS, GOVT. HIGHER SECONDARY SCHOOL
AYIROOPPARA, POTHENCODE, THIRUVANANTHAPURAM - 695 584.**
- 5. C.R.SUGUNAN
H.S.A, MALAYALAM, GOVT. HIGHER SECONDARY SCHOOL
AYIROOPPARA, POTHENCODE, THIRUVANANTHAPURAM - 695 584.**
- 6. M.L.SUDHA, (RETIRED HEADMISTRESS)
GOVT. HIGHER SECONDARY SCHOOL, AYIROOPPARA)
RESIDING AT SIVADA, KATTAVILA, KBRA - 125
KAZHAKOOTTAM, THIRUVANANTHAPURAM - 695 582.**

R1-3 BY SENIOR GOVERNMENT PLEADER SRI.MUHAMMED SHAFI.M

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
23-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 - A TRUE COPY OF THE DISABILITY CERTIFICATE DT. 21.10.11 ISSUED FROM THE MEDICAL COLLEGE HOSPITAL, THIRUVANANTHAPURAM.
- P2 - A TRUE COPY OF THE CERTIFICATE OF M.A (MALAYALAM) DT. 26.6.02, ISSUED BY THE UNIVERSITY OF KERALA.
- P3 - A TRUE COPY OF THE CERTIFICATE OF B.ED DT. 01.6.10 ISSUED BY THE UNIVERSITY OF KERALA.
- P4 - A TRUE COPY OF THE CERTIFICATE OF NATIONAL ELIGIBILITY TEST CONDUCTED BY THE UNIVERSITY GRANTS COMMISSION DT. 26.10.07.
- P5 - A TRUE COPY OF THE TRAINED TEACHER'S CERTIFICATE DT. 04.11.06 ISSUED BY THE SECRETARY, BOARD OF PUBLIC EXAMINATIONS.
- P6 - A TRUE COPY OF THE CERTIFICATE OF STATE AWARD FOR THE MOST EFFICIENT PHYSICALLY DISABLED EMPLOYEE IN THE YEAR 2006 DT. 10.5.07.
- P7 - A TRUE COPY OF THE CERTIFICATE OF STATE AWARD FOR THE MOST EFFICIENT DIFFERENTLY ABLED EMPLOYEE IN THE YEAR 2010 DT. 03.12.11.
- P8 - A TRUE COPY OF THE CERTIFICATE OF BEST SPECIAL EDUCATOR AWARD BY THE KERALA STATE HANDICAPPED WELFARE CORPORATION IN THE YEAR 2008 DT. 03.12.08.
- P9 - A TRUE COPY OF THE CERTIFICATE OF MERIT BY THE KERALA STATE YOUTH WELFARE BOARD IN THE YEAR 2006.
- P10 - A TRUE COPY OF THE COMPLAINT FILED BY SRI.BABU DT. 09.2.10.
- P10 (A) - COPY OF THE ENGLISH TRANSLATION OF EXT. P10
- P11 - A TRUE COPY OF THE ENQUIRY REPORT SUBMITTED BY THE SENIOR ADMINISTRATIVE ASSISTANT (NMP) DT. 23.3.10.
- P11(A) - COPY OF THE ENGLISH TRANSLATION OF EXT.P11.
- P12 - A TRUE COPY OF THE COMMUNICATION NO. NM4/16744/10/DPI DT. 23.3.10 SENT BY THE 2ND RESPONDENT TO THE FIRST RESPONDENT.
- P13 - A TRUE COPY OF THE REPORT SUBMITTED BY THE 6TH RESPONDENT BEFORE THE 2ND RESPONDENT DT. 25.2.10.
- P13(A) - COPY OF THE ENGLISH TRANSLATION OF EXT. P13.
- P14 - A TRUE COPY OF THE VIGILANCE ENQUIRY REPORT6 DT. 18.11.13.
- P15 - A TRUE COPY OF THE FORWARDING ENDORSEMENT DT. 27.11.13, OF THE SUPERINTENDENT OF POLICE, SOUTHERN RANGE, THIRUVANANTHAPURAM.

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P16 - A TRUE COPY OF THE COMMUNICATION SENT BY THE DIRECTOR VIGILANCE AND ANTI CORRUPTION BUREAU TO THE 1ST RESPONDENT DT. 21.12.13.

P17 - A TRUE COPY OF THE INSPECTION REPROT OF THE DISTRICT FINANCE INSPECTION SQUAD, THIRUVANANTHAPURAM DATED NIL, OBTAINED UNDER THE RTI ACT.

P18 - A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DT.13.8.14.

P18(A) - COPY OF THE ENGLISH TRANSLATION OF EXT. P18.

P19 - A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DT. 01.9.14.

P19 (A) - COPY OF THE ENGLISH TRANSLATION OF EXT. P19.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.R. RAMACHANDRA MENON J.

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Dated, this the 23rd day of January, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers :

"i) To issue a writ of mandamus directing respondents 1 and 2 to consider Exhibits P18 and P19 representations and to take immediate action, as requested in the representations.

And

ii) To grant such other reliefs as this Honourable Court may deem fit in the circumstances of this case.

2. Heard the learned counsel appearing for the petitioner and the learned Government Pleader appearing for the respondents 1 to 3.

3. It is revealed from the pleadings and proceedings that the grievance projected by the petitioner in this writ petition is mainly with regard to the delay in considering Exts. P18 and P19 representations preferred before the concerned respondents. Since the prayer is only to cause the said representations to be considered,

this Court does not find it necessary to go into the merits of the case. The Writ Petition is disposed of, directing the first respondent to consider and pass appropriate orders on Ext. P19, after affording an opportunity of hearing to the petitioner and other interested parties, if any, including respondents 4 to 6, at the earliest, at any rate within three months from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment along with copy of the writ petition before the first respondent for further steps.

Sd/-

**P. R. RAMACHANDRA MENON,
(JUDGE)**

kmd