

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 26TH DAY OF MARCH 2015/5TH CHAITHRA, 1937

WP(C).No. 36832 of 2008 (I)

PETITIONER(S):

1. ARAVINDAKSHAN T.V.,
S/O.P.JANAKI (LATE), 'PANAJAJANYAM", KAYALORE,
P.O.CHAVASSERRY, MATTANNUR, KANNUR DIST.
2. VALSALAKUMARI T.V.,
D/O. P.JANAKI (LATE), HILL VIEW, VADUVANKULAM,
P.O.KUTTIYATTOOR, VIA, MAYIL
KANNUR DISTRICT.
3. VASANTHI T.V.
D/O. P.JANAKI (LATE), 'PRADEEPIKA', PATTIYAM,
P.O. PATHIYAKKUNNU, KANNUR DIST.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENT(S):

1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, DEPARTMENT OF GENERAL
EDUCATION, SECRETARIAT, THIRUVANANTHAPURAM.
2. DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.
3. DEPUTY DIRECTOR OF EDUCATION,
KANNUR.
4. ASSISTANT EDUCATIONAL OFFICER,
MATTANNUR.

BY SENIOR GOVERNMENT PLEADER SRI.SOJAN JAMES

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
26-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 36832 of 2008 (I)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P1: TRUE COPY OF THE DEATH CERTIFICATE DATED 25.6.2008 WITH RESPECT
TO SMT. P.JANAKI.**

EXT.P2: TRUE COPY OF THE STAFF FIXATION ORDER FOR THE YEAR 2006-2007.

EXT.P3: TRUE COPY OF THE STAFF FIXATION ORDER FOR THE YEAR 1998-1999.

**EXT.P4: TRUE COPY OF THE REVISION PETITION DATED 14.3.2007 FILED BY THE
MANAGER BEFORE THE 2ND RESPONDENT.**

**EXT.P5: TRUE COPY OF THE LETTER DATED 3.10.2007 ISSUED BY THE
2ND RESPONDENT.**

**EXT.P6: TRUE COPY OF THE REVISION PETITION DATED 6.12.2007 SUBMITTED BY
THE MANAGER BEFORE THE 1ST RESPONDENT.**

**EXT.P7: TRUE COPY OF THE LETTER DATED 18.4.2008 ISSUED BY THE
1ST RESPONDENT.**

EXT.P8: TRUE COPY OF G.O.(P) 317/2005 DATED 17.8.2005.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A. MUHAMED MUSTAQUE, J.

W.P.(C) No.36832 of 2008

Dated this the 26th day of March, 2015

JUDGMENT

The petitioners are the legal heirs of the Manager of Pariyaram U.P. School, Kolari. The Manager died on 25.06.2008. Before the death of the Manager, the Manager appointed one A.K.Kunhikrishnan as Assistant Teacher in Pariyaram U.P. School. But, in the staff fixation order for the year 2006-2007, the 3rd division in Standard-II was not sanctioned on account of the ban imposed by the Government. Petitioners now submit that on account of the lifting of the ban, the matter needs to be re-considered.

2. In view of the lifting of the ban imposed by G.O.(P) No.10/10/Gen. Edn.(J)Dept. Dated 12.01.2010, the matter needs to be re-considered.

3. Therefore, there shall be a direction to the A.E.O to consider the matter afresh, after hearing the petitioners and the teacher concerned, within a period of two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE,
JUDGE.

//true copy//

P.S. to Judge

st/-