

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937

WP(C).No. 33947 of 2015 (P)

PETITIONER:

**N.M.ANILKUMAR AGED 33 YEARS
S/O. VASUDEVAN NAMBOODIRI, PEON(PERMANENT)
NAMBOODIRI VIDHYALAYAM U.P.SCHOOL, KOTTAPURAM
TRICHUR-680 004, RESIDING AT NENMINI MANGALAM MANA
P.O.CHETUPUZHA, THRISSUR-680 012.**

BY ADV. SRI.VINAY RAMDAS

RESPONDENTS:

- 1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF GENERAL EDUCATION, SECRETARIAT
THIRUVANANTHAPURAM-695 001.**
- 2. ASSISTANT EDUCATIONAL OFFICER
THRISSUR WEST, PULLAZHI, OLARI
THRISSUR-680 003.**
- 3. NAMBOODIRI VIDHYALAYAM U.P.SCHOOL
REPRESENTED BY ITS MANAGER, KOTTAPURAM
TRICHUR-680 004.**
- 4. HEAD MISTRESS
NAMBOODIRI VIDHYALAYAM U.P.SCHOOL, KOTTAPURAM
TRICHUR-680 004.**

R1 & R2 BY GOVERNMENT PLEADER SMT. A LOWSY

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
18-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : COPY OF THE MEDICAL CERTIFICATE DTD.13.11.2010 ISSUED BY
DR.SREEKUMAR D., REG.NO.8556.**
- P2 : COPY OF THE REGISTRATION LETTER OF THE PETITIONER TO THE 3RD/4TH
RESPONDENT.**
- P3 : COPY OF THE REPRESENTATION DTD.24.5.2015 OF THE PETITIONER TO THE
4TH RESPONDENT.**
- P4 : COPY OF THE ORDER NO.C/445/15/L.DIS DTD.30.6.2015 OF THE 2ND
RESPONDENT.**
- P5 : COPY OF THE LETTER DTD.3.7.2015 OF THE 3RD RESPONDENT.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

JJJ

K. VINOD CHANDRAN, J.

W.P.(C) No. 33947 of 2015 (P)

Dated this the 18th day of November, 2015

J U D G M E N T

The petitioner in the above writ petition seeks quashing of Ext.P4 order, by which the Assistant Educational Officer, Thrissur, has accepted the resignation given by the petitioner from the 3rd respondent School.

2. The petitioner was a Peon, in the 3rd respondent school, appointed with effect from 12.01.2004. The petitioner is said to have been diagnosed with Paranoid Schizophrenia and admittedly, finding it difficult to handle stressful situation, on 1.3.2015, in a fit of rage is said to have tendered resignation. Though the petitioner submits that he was unaware of the full consequences, however, admitted that it was in a fit of rage that the petitioner submitted his resignation.

3. The learned Government Pleader, on instructions, submits that the resignation has been accepted and has

been entered in the Service Book of the petitioner also.

4. In such circumstance, it is well-nigh impossible for this Court to put the clock back and allow the petitioner to be continued in service, even under the extra ordinary jurisdiction exercised under Article 226 of the Constitution of India. For the contention taken of having suffered from Paranoid Schizophrenia, there is nothing on record to show that the mental illness, in fact, prompted the resignation. In any event, the petitioner can appear before the Government and file a representation on the special reasons, if any, with supporting documents, in which event, the Government could consider granting him at least the benefits of retirement.

With the above observation, the writ petition would stand dismissed.

Sd/-
K.VINOD CHANDRAN,
JUDGE