

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 25TH DAY OF MARCH 2015/4TH CHAITHRA, 1937

WP(C).No. 35213 of 2014 (B)

PETITIONER(S)/PETITIONERS:

1. SREEJITH B.NAIR,
H S S T(PHYSICS) N S S HIGHER SECONDARY SCHOOL,
MULLOORKARA THRISSUR-680583.
2. AJISH. M.,
H S S T(COMPUTER SCIENCE) N S S HIGHER SECONDARY SCHOOL,
MULLOORKARA THRISSUR-680583.
3. V. JALAJA KUMARI,
H S S T(MATHAMATICS) N S S HIGHER SECONDARY SCHOOL,
MULLOORKARA THRISSUR-680583.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENT(S)/RESPONDENTS:

1. STATE OF KERALA,
REP BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF GENERAL EDUCATION, SECRETARIAT
THIRUVANANTHAPURAM-695001.
2. DIRECTOR OF HIGHER SECONDARY EDUCATION,
THIRUVANANTHAPURAM-695001.
3. REGIONAL DEPUTY DIRECTOR OF HIGHER SECONDARY EDUCATION,
MALAPPURAM.
4. REGIONAL DEPUTY DIRECTOR OF HIGHER SECONDARY EDUCATION,
ERNAKULAM-682001.
5. THE CORPORATE MANAGER(GENERAL MANAGER & INSPECTOR)
N S S SCHOOL, PERUNNAI, CHENGANASSERRY
KOTTAYAM DIST.

6. THE PRINCIPAL.
N S S HIGHER SECONDARY SCHOOL, MULLOORKARA
THRISSUR-680583.

R1 to R4 (SR) BY GOVERNMENT PLEADER SMT.M.J.RAJASREE
R5 BY ADV. SRI.P.GOPAL
R5 BY ADV. SRI.B.MURALEEDHARAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 25-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

vmr.

WP(C).No. 35213 of 2014 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1:-TRUE COPY OF THE ORDER DTD 8/12/2011 ISSUED BY THE 5TH
RESPONDENT.

EXHIBIT P2:-TRUE COPY OF THE ORDER DTD 10/7/2012 ISSUED BY THE 5TH
RESPONDENT.

EXHIBIT P3:-TRUE COPY OF THE ORDER DTD 10/7/2012 ISSUED BY THE 5TH
RESPONDENT.

EXHIBIT P4:-TRUE COPY OF GO(MS)NO 76/2013/G.EDN DTD 23/2/2013.

EXHIBIT P5:-TRUE COPY OF JUDGMENT DTD 19/9/2014 IN WPC NO 20849/2013.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A.TO JUDGE

vmr.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No. 35213OF 2014

Dated this the 25th day of March, 2015

JUDGMENT

The petitioners are presently working as HSSTs in N.S.S. Higher Secondary School, Thrissur. They were appointed as per Exts.P1 to P3 orders. As per Ext.P4 order dated 23/2/2013 the posts, in which the petitioners are appointed as HSSTs, are treated as sanctioned only with effect from 23/2/2013. This Court by Ext.P5 judgment held that Ext.P4 order, to the extent it accords sanction for the upgradation of the posts of HSST prospectively with effect from the date of the order, is quashed.

2.In view of the fact that the issue is covered in favour of the petitioners in the light of Ext.P5 judgment, there shall be a direction to the first respondent Government to approve the appointment of the petitioners from the date of their appointment and disburse the arrears salary within three 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.**

dpk

/true coy/ PS to Judge.