

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 31ST JULY 2009 / 9TH SRAVANA 1931

WP(C).No. 17316 of 2009(H)  
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PETITIONER:  
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MANGALABAI.M,  
W/O. PRATAPACHANDRAN, HIGH SCHOOL  
ASSISTANT (NATURAL SCIENCE),  
REC GOVERNMENT VOCATION HIGHER  
SECONDARY SCHOOL, CHATHAMANGALAM CALICUT.

BY MR.T.A.UNNIKRISHNAN,ADVOCATE  
MR.K.SATHEESHKUMAR, ADVOCATE  
MR.P.P.BIJU, ADVOCATE  
MR.NITHIN JACOB

RESPONDENTS:  
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1. THE SECRETARY, GENERAL EDUCATION  
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.
2. THE DIRECTOR OF PUBLIC INSTRUCTION  
THIRUVANANTHAPURAM.

BY SR. GOVERNMENT PLEADER MR.MUHAMOOD T.T.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 31/07/2009,THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**T.R. RAMACHANDRAN NAIR, J.**

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**W.P.(C) No.17316 OF 2009**  
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**Dated this the 31<sup>st</sup> day of July, 2009.**

**J U D G M E N T**

The petitioner is working as High School Assistant (Natural Science) in the REC Government Vocational Higher Secondary School, Chathamangalam in Calicut District. The petitioner was granted leave for study purpose from 20.01.2006 to 30.06.2007 and accordingly she successfully completed her M.Sc (Zoology) Course in Morning Star College, Ankamali during the said period. Exhibit P1 is the copy of the Government order by which leave was granted for study purpose with certain conditions. According to the petitioner, M.Sc is a mandatory qualification for getting promotion to the post of HSST in Higher Secondary School.

2. Presently, the plea raised by the petitioner is that his period of leave can be counted for service benefits like increment, grade and pension. The petitioner has accordingly submitted a fresh request for granting the service benefits by counting the leave period, and by Exhibit P2 the Principal has forwarded the

same to the Deputy Director of Education. Ultimately, it is for the Government to take a decision in the matter.

Therefore, the first respondent will take a decision in the matter within a period of three months from the date of receipt of a copy of this judgment, if no decision has already been taken. The petitioner will produce a copy of this judgment along with copy of the writ petition before the first respondent for compliance.

This writ petition is disposed of as above.

**T.R. RAMACHANDRAN NAIR**  
**JUDGE**

smp