

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 28TH DAY OF NOVEMBER 2014/7TH AGRAHAYANA, 1936

WP(C).No. 30631 of 2014 (D)

PETITIONER:

**THASNI SALMAN V.P. ,
W/O. ELYAS, AGED 27 YEARS,
HIGH SCHOOL ASSISTANT (ENGLISH)
DARUNNAJATH HIGH SCHOOL, NELLIPUZHA,
P.O.MANNARKKAD, PALAKKAD DISTRICT.**

BY ADV. DR.GEORGE ABRAHAM

RESPONDENT(S):

- 1. THE DISTRICT EDUCATIONAL OFFICER,
MANNARKKAD, PALAKKAD DISTRICT-678582.**
- 2. THE DEPUTY DIRECTOR OF EDUCATION,
PALAKKAD-678001.**
- 3. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM-695001.**
- 4. STATE OF KERALA,
REP. BY THE SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.**
- 5. THE MANAGER, DARUNNAJATH HIGH SCHOOL,
NELLIPUZHA, P.O.MANNARKKAD,
PALAKKAD DISTRICT-678582.**

R1 TO R4 BY SENIOR GOVERNMENT PLEADER SRI.M.A.FAYAZ

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-11-2014, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXHIBIT P1- TRUE COPY OF THE ORDER OF APPOINTMENT OF THE PETITIONER.
- EXHIBIT P2- TRUE COPY OF THE ORDER OF THE DISTRICT EDUCATIONAL OFFICER DATED 16-2-2013.
- EXHIBIT P3- TRUE COPY OF THE STAFF FIXATION ORDER PASSED BY THE DISTRICT EDUCATIONAL OFFICER.
- EXHIBIT P4- TRUE COPY OF THE REVISED STAFF FIXATION ORDER DATED 4-2-2013 ISSUED BY THE DISTRICT EDUCATIONAL OFFICER.
- EXHIBIT P5- TRUE COPY OF THE STUDENT STRENGTH AVAILABLE IN THE SCHOOL ON THE 6TH WORKING DAY OF ACADEMIC YEAR 2012-13.
- EXHIBIT P6- TRUE COPY OF THE ORDER OF THE DIRECTOR OF PUBLIC INSTRUCTIONS DATED 2-12-2013.
- EXHIBIT P6(A)- TRUE ENGLISH TRANSLATION OF EXHIBIT P6.
- EXHIBIT P7- TRUE COPY OF THE NOTICE OF HEARING DATED 14-2-20-14 ISSUED BY THE DIRECTOR OF PUBLIC INSTRUCTIONS.
- EXHIBIT P8- TRUE COPY OF THE REVISION FILED BY THE PETITIONER BEFORE THE GOVERNMENT DATED 14-11-2014.

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.A. TO JUDGE

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DAMA SESHADRI NAIDU, J.

W.P.(c) No. 30631 of 2014

Dated this the 28th day of November, 2014

JUDGMENT

Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. Briefly stated, the petitioner was appointed as High School Assistant (English) through Exhibit P1 in retirement vacancy in the School under the management of the fifth respondent. When approval was sought, it was rejected based on the Staff Fixation order of 2010-2011.

3. In the face of rejection of the request for approval of the petitioner's appointment, the fifth respondent Manager is said to have preferred Exhibit P7 revision before the fourth respondent questioning the validity of the Staff Fixation Order. On the other hand, the petitioner herself has preferred Exhibit P8 revision impugning the rejection of approval for her appointment.

4. The learned Government Pleader, on instructions, has submitted that the fourth respondent has already considered Exhibit P7 revision, but yet to pass orders. In so far as Exhibit P8 revision is concerned, it appears to be still pending.

5. In the facts and circumstances, it will meet the ends of justice if the fourth respondent considers Exhibit P8 revision filed by the petitioner along with Exhibit P7 revision filed by the Manager and passes common

orders.

6. Accordingly, this writ petition is disposed of with a direction to the fourth respondent to consider Exhibit P8 revision along with Exhibit P7, and pass appropriate orders thereon, as expeditiously as possible, at any rate, within a period of four months from the date of receipt of a copy of this judgment.

With the above observation, this writ petition is disposed of.

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-