

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

FRIDAY, THE 30TH DAY OF JUNE 2017/9TH ASHADHA, 1939

WP(C).No. 21721 of 2017 (M)

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PETITIONER(S) :

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KRISHNA HARIDAS,  
D/O. HARIDAS V.,  
UPPATH HOUSE,  
P.O. CHALAKUDY,  
THRISSUR DISTRICT 680 307.

BY ADVS.SRI.N.N.SUGUNAPALAN (SR.)  
SRI.S.SUJIN

RESPONDENT(S) :

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1.ASSISTANT EDUCATION OFFICER,  
MALA 680 732.

2.DISTRICT EDUCATION OFFICER,  
IRINJALAKUDA 680 121.

3.DIRECTOR OF GENERAL EDUCATION,  
DEPARTMENT OF GENERAL EDUCATION,  
THIRUVANANTHAPURAM 695 001.

4.SECRETARY,  
GENERAL EDUCATION DEPARTMENT,  
THIRUVANANTHAPURAM 695 001.

5.STATE OF KERALA  
REPRESENTED BY CHIEF SECRETARY,  
GOVERNMENT OF KERALA,  
THIRUVANANTHAPURAM 695 001.

BY SR. GOVERNMENT PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR  
ADMISSION ON 30-06-2017, THE COURT ON THE SAME  
DAY DELIVERED THE FOLLOWING:

EL

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APPENDIX

PETITIONER(S) ' EXHIBITS

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- EXHIBIT P1        TRUE COPY OF THE PROCEEDINGS 20/7/2016 OF  
                     THE 1ST RESPONDENT
- EXHIBIT P2        TRUE COPY OF CIRCULAR NO.13402/J2/2012 GEN  
                     EDUCATION 10-05-2012
- EXHIBIT P3        TRUE COPY OF THE GOVERNMENT CIRCULAR NO  
                     58604/J2/12/G.EDN DTD.6/11/2012
- EXHIBIT P4        GOVERNMENT CIRCULAR NO 631703/J2/2016  
                     DATED 1/8/2016
- EXHIBIT P5        TRUE COPY OF THE APPEAL PREFERRED BY THE  
                     MANAGER BEFORE THE DISTRICT EDUCATIONAL  
                     OFFICER DTD 26/9/16
- EXHIBIT P6        TRUE COPY OF THE CIRCULAR DATED 29/7/2016  
                     ISSUED BY THE DIRECTOR OF PUBLIC  
                     INSTRUCTION

RESPONDENT(S) ' EXHIBITS

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NIL

TRUE COPY

P.S. TO JUDGE

EL

**P.V.ASHA, J.**

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**W.P.(C) No.21721 of 2017**

.....  
**Dated this the 30<sup>th</sup> day of June, 2017**

**JUDGMENT**

The petitioner is working as LPSA in an aided School with effect from 1.6.2015. She is aggrieved by the denial of approval of her appointment. It is submitted that the approval of appointment is declined as per Ext.P1 order dated 20.7.2016 on the ground that the pupil strength is below 105.

2. Relying on Exts.P2 to P4 circulars the petitioner claims approval of appointment. The Manager has already approached the 2<sup>nd</sup> respondent - District Educational Officer with Ext.P5 appeal. The only relief sought in this writ petition is for a direction to the 2<sup>nd</sup> respondent to consider Ext.P5 appeal.

In view of the above circumstances, the writ petition is disposed of, directing the 2<sup>nd</sup> respondent to consider and pass orders on Ext.P5 appeal within a period of two months from the date of receipt of a copy of the judgment, after affording an opportunity of hearing to the petitioner and the Manager.

Sd/-  
**P.V.ASHA**  
**JUDGE**

rkc