

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE SMT. JUSTICE P.V.ASHA

TUESDAY, THE 30TH DAY OF JULY 2019 / 8TH SRAVANA, 1941

WP(C).No.20802 of 2019

PETITIONER:

RAMLATH.V.A. ,
AGED 50 YEARS
W/O. P.M.ALI, PALLIPURATH HOUSE, KARA P.O. ,
KODIYALAM, EDAVILANGU, PIN-680 671
(NOW APPOINTED AS HSST SR. (MALAYALAM) IN SEETHI SAHIB
MEMORIAL HIGHER SECONDARY SCHOOL, AZHEEKODE)

BY ADVS.

SRI.M.M.HUSAIN
SRI.M.ASIF

RESPONDENTS:

- 1 THE STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM, -695 001
- 2 THE DIRECTOR OF PUBLIC INSTRUCTIONS,
JAGATHY, THIRUVANANTHAPURAM-695 014
- 3 THE REGIONAL DEPUTY DIRECTOR OF EDUCATION,
THRISSUR DISTRICT-678 014
- 4 THE MANAGER,
SEETHI SAHIB MEMORIAL HIGHER SECONDARY SCHOOL,
AZHEEKODE, THRISSUR-680 672
- 5 SHANIDA,
W/O.P.S.NAJEEB, HSA (PHYSICAL SCIENCE) ,
SEETHI SAHIB MEMORIAL HIGHER SECONDARY SCHOOL,
AZHEEKODE, THRISSUR-680 672

BY ADV.

SRI.B.UNNIKRISHNA KAIMAL ,GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30.07.2019, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioner who was working as HSA (Malayalam) in the 4th respondent school claims appointment as HSST (Malayalam) with effect from 31.03.2019, which was rejected as per Ext.P5 endorsement. The Manager appointed the petitioner as per Ext.P4 order dated 28.06.2019 against the vacancy which arose on retirement of one Smt.Leena K.M. on 31.03.2019. The 3rd respondent rejected the approval on the ground that the petitioner was not selected by selection committee including government nominee after conducting an interview, as the appointment is after 06.02.2019. The petitioner claims that selection through selection committee is not necessary in view of Ext.P7 order. Pointing out that, petitioner has submitted Ext.P6 Revision Petition before the Government. It is also pointed out that the 5th respondent who is senior to her was not given appointment, as she is facing disciplinary proceedings.

As the petitioner has already approached the Government, the Writ Petition is disposed of directing the 1st respondent to consider and pass orders on Ext.P6 Revision Petition after affording an opportunity of hearing to the petitioner and Respondents 4 and 5

within a period of three months from the date of receipt of a copy of this judgment.

SCS

Sd/-
P.V.ASHA
JUDGE

APPENDIX

PETITIONER'S EXHIBITS:

- | | |
|------------|---|
| EXHIBIT P1 | TRUE COPY OF THE ORDER NO.14/2019 G.EDN
DATED 6/2/2019 ISSUED BY THE 1ST
RESPONDENT |
| EXHIBIT P2 | TRUE COPY OF THE PROCEEDINGS DATED
28/6/2019 OF THE MANAGER AGAINST THE 5TH
RESPONDENT |
| EXHIBIT P3 | TRUE COPY OF THE STAFF LIST BASED ON
SENIORITY AS ON 28/6/2019 |
| EXHIBIT P4 | TRUE COPY OF THE APPOINTMENT ORDER
NO.16/SSMHSS/2019 DATED 28/6/2019
SHOWING THE APPOINTMENT OF THE
PETITIONER AS HSST SNR (MALAYALAM) |
| EXHIBIT P5 | TRUE COPY OF THE PROCEEDINGS
NO.B1/8294/RDD/HSE/2019/DATED 19.07.2019
OF THE 3RD RESPONDENT |
| EXHIBIT P6 | TRUE COPY OF THE SAID REVISION DATED
26/7/2019 FILED BY THE PETITIONER BEFORE
THE 1ST RESPONDENT |
| EXHIBIT P7 | TRUE COPY OF THE ORDER NO.247/2019
GEN.EDN DATED 21/1/2019 PASSED BY THE
1ST RESPONDENT |

//TRUECOPY//
PA TO JUDGE