

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

MONDAY, THE 31ST DAY OF OCTOBER 2022 / 9TH KARTHIKA, 1944

WP(C) NO. 34636 OF 2022

PETITIONERS:

- 1 SIBI C. KOCHUNNY, UPPER PRIMARY SCHOOL ASSISTANT (UPSA),
ST. THOMAS UPPER PRIMARY SCHOOL, PARANNUR, THRISSUR-680 501.
- 2 INDIRA K.N. LOWER PRIMARY SCHOOL ASSISTANT (LPSA),
ST. THOMAS UPPER PRIMARY SCHOOL, PARANNUR, THRISSUR-680 501.
- 3 VICTORIA A.D, UPPER PRIMARY SCHOOL ASSISTANT (UPSA)
ST. THOMAS UPPER PRIMARY SCHOOL, PARANNUR, THRISSUR-680 501.

BY ADVS.M.U.VIJAYALAKSHMI
BRIJESH MOHAN
K.JAJU BABU (SR.)

RESPONDENTS:

- 1 STATE OF KERALA, REPRESENTED BY SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 2 THE DIRECTOR OF GENERAL EDUCATION,
JAGATHY, THIRUVANANTHAPURAM - 695 014.
- 3 THE DEPUTY DIRECTOR OF EDUCATION,
OFFICE OF THE DEPUTY DIRECTOR OF EDUCATION, 2ND FLOOR,
AYYANTHOLE, THRISSUR 680003.
- 4 THE ASSISTANT EDUCATIONAL OFFICER, OFFICE OF THE ASSISTANT
EDUCATIONAL OFFICER, KUNNAMKULAM, THRISSUR-680 503.
- 5 THE MANAGER, ST. THOMAS UPPER PRIMARY SCHOOL, PARANNUR,
THRISSUR-680 501.

SMT.MARY BEENA JOSEPH -SR.GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
31.10.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The singular plea of the petitioners is that the competent Authority of the 1st respondent - State of Kerala be directed to take up and dispose of Ext.P14 Statutory Revision filed by the 5th respondent - Manager of the School, under the provisions of Rule 92 of Chapter XIVA of the Kerala Education Rules (KER).

2. In response, Smt.Mary Beena Joseph - learned Senior Government Pleader, submitted that, if the petitioners only require Ext.P14 to be taken up and disposed of by the competent Authority of the Government, there does not appear to be any legal impediment in doing so; however, praying that this Court may not make any affirmative declarations in their favour in this judgment and leave it to the said Authority to take an apposite decision, as per law.

In the afore circumstances, I order this

writ petition and direct the competent Authority of the Government to take up and dispose of Ext.P14 Statutory Revision, after affording the petitioners an opportunity of being heard; thus culminating in an appropriate order and necessary action thereon, as expeditiously as is possible, but not later than three months from the date of receipt of a copy of this judgment.

Sd/-

DEVAN RAMACHANDRAN
JUDGE

akv

APPENDIX OF WP(C) 34636/2022

PETITIONER EXHIBITS

EXHIBIT P1	COPY OF THE APPOINTMENT ORDER ISSUED IN FAVOUR OF THE 1ST PETITIONER BY THE MANAGER ON 1.06.1999.
EXHIBIT P2	COPY OF THE ORDER NO.DIS/B/1997/99 DATED 18.8.1999 ISSUED BY THE 4TH RESPONDENT.
EXHIBIT P3	COPY OF THE APPOINTMENT ORDER ISSUED IN FAVOUR OF THE 2ND PETITIONER BY THE 5TH RESPONDENT ON 1.6.1999.
EXHIBIT P4	COPY OF THE APPOINTMENT ORDER ISSUED IN FAVOUR OF THE 2ND PETITIONER ON 4.10.1999.
EXHIBIT P5	COPY OF THE ORDER NO.L.DIS. B/3958/99 DATED 15.10.1999 ISSUED BY THE 4TH RESPONDENT.
EXHIBIT P6	COPY OF THE APPOINTMENT ORDER ISSUED IN FAVOUR OF THE 2ND PETITIONER ON 20.12.1999.
EXHIBIT P7	COPY OF THE APPOINTMENT ORDER ISSUED IN FAVOUR OF THE 3RD PETITIONER ON 11.10.2000.
EXHIBIT P8	COPY OF THE APPOINTMENT ORDER ISSUED IN FAVOUR OF THE 3RD PETITIONER ON 6.6.2001.
EXHIBIT P9	COPY OF THE ORDER NO.B-1925/2001 DATED 3.10.2001 ISSUED BY THE 4TH RESPONDENT.
EXHIBIT P10	COPY OF THE JUDGMENT DATED 20.06.2007 IN WP© NO. 20369/2006 OF THIS HON'BLE COURT.
EXHIBIT P11	COPY OF THE JUDGMENT DATED 21.03.2014 IN W.A.NO.1674/2008 OF THIS HON'BLE COURT.
EXHIBIT P12	COPY OF THE GOVERNMENT ORDER G.O.(RT) NO. 485/2008/G.EDN DATED 25.01.2008.
EXHIBIT P13	COPY OF THE ORDER NO.B-3561/2007/K.DIS DATED 19.3.2008 ISSUED BY THE 4TH

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RESPONDENT.

EXHIBIT P14 COPY OF THE REVISION PETITION DATED
22.09.2016 PREFERRED BY THE 5TH RESPONDENT
BEFORE THE 1ST RESPONDENT.

EXHIBIT P15 COPY OF THE COMMUNICATION DATED 11.08.2017
ISSUED BY THE 4TH RESPONDENT TO THE 5TH
RESPONDENT.

RESPONDENT'S/S EXHIBITS : NIL.

**//TRUE COPY//
P.A. TO JUDGE**