



2024:KER:96994

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

FRIDAY, THE 20TH DAY OF DECEMBER 2024/29TH AGRAHAYANA, 1946

WP(C) NO.45792 OF 2024

PETITIONER:

**ANITHA SEBASTIAN,
AGED 48 YEARS,
HSST, M.D. SEMINARY HIGHER SECONDARY SCHOOL,
KOTTAYAM, HAVING PERMANENT ADDRESS AT SAJI
BHAVAN, NEAR S.N. CENTRAL SCHOOL, CHIRAKADAVAM,
KAYAMKULAM P.O., ALAPPUZHA DISTRICT.,
PIN-690502**

**BY ADVS.
K.B.ARUNKUMAR
RANJIT BABU
POOJA K.S.**

RESPONDENTS:

- 1 THE STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001**
- 2 DIRECTOR OF GENERAL EDUCATION
OFFICE OF THE DIRECTOR GENERAL OF EDUCATION,
THIRUVANANTHAPURAM,
PIN - 695014**



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- 3 **DISTRICT EDUCATIONAL OFFICER
OFFICE OF THE DISTRICT EDUCATIONAL
OFFICER, THAMARASSERY,
KOZHIKODE DISTRICT,
PIN - 673001**

- 4 **THE MANAGER
CATHOLICATE AND M.D.SCHOOLS, DEVALOKAM,
KOTTAYAM DISTRICT, PIN - 686038**

SR.GP SRI. V.VENUGOPAL

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 20.12.2024, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:**

**JUDGMENT**

Dated this the 20th day of December, 2024

The appointment of the petitioner under the 4th respondent Management as permanent UPSA was approved on Daily Wages from 23.06.2008 to 31.03.2009 and on salary scale of permanent Teacher from 01.06.2010 onwards, by the 3rd respondent, holding that the first spell of appointment is not for the entire academic period.

2. The Appeal preferred by the management was dismissed without considering the facts. Therefore, the petitioner submitted Ext.P7 Appeal before the 1st respondent. Ext.P8 reply under Right to Information Act evidences that Ext.P7 Appeal is still pending. The petitioner is entitled for regularization of her appointment from 23.06.2008. Hence, the petitioner has filed this writ petition.

3. Government Pleader pointed out that Ext.P7 submitted by the petitioner is dated 12.09.2012.



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4. Counsel for the petitioner would point out that as per the information received, as per Ext.P8, the said representation has not been considered so far.

5. Taking into consideration the facts of the case, I am of the view that if no decision is taken on Ext.P7 so far, then the 1st respondent can consider the same and decide the matter in accordance with law.

The writ petition is accordingly disposed of directing the 1st respondent to consider Ext.P7, if the said representation is still pending, and take appropriate decision thereon within a period of four months. If order is already passed on Ext.P7, the petitioner shall be provided with a copy of the order.

Sd/-
N.NAGARESH
JUDGE

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The date '01.06.2010' appearing on the 4th line of the first paragraph of the judgment dated 20.12.2024 in WP (C) No. 45792/2024 is corrected and replaced by the date '01.06.2009' as per order dated 01.04.2025 in I.A.No.1/2025 in WP (C) No. 45792/2024.

Sd/-
Joint Registrar



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APPENDIX OF WP(C) 45792/2024

PETITIONER'S EXHIBITS

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|--------------------|---|
| EXHIBIT P-1 | THE TRUE COPY OF THE APPOINTMENT ORDER DATED 23.06.2008 ISSUED BY THE 4TH RESPONDENT TO THE PETITIONER. |
| EXHIBIT P-2 | THE TRUE COPY OF THE ORDER DATED 20.02.2009 ISSUED BY THE 3RD RESPONDENT. |
| EXHIBIT P-3 | THE TRUE COPY OF THE PROCEEDINGS DATED 19.06.2010 OF THE 2ND RESPONDENT. |
| EXHIBIT P-4 | THE TRUE COPY OF THE PROCEEDINGS DATED 28.07.2010 OF THE 2ND RESPONDENT. |
| EXHIBIT P-5 | THE TRUE COPY OF THE APPOINTMENT ORDER APPROVED BY THE 3RD RESPONDENT. |
| EXHIBIT P-6 | THE TRUE COPY OF THE PROCEEDINGS DATED 02.11.2011 OF THE 3RD RESPONDENT. |
| EXHIBIT P-7 | THE TRUE COPY OF THE APPEAL DATED 12.09.2012 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT. |
| EXHIBIT P-8 | A TRUE COPY OF REPLY DATED 17.10.2024 RECEIVED BY THE PETITIONER |