

**Jayakumar.K, vs State of Kerala**

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**SooperKanoon Citation :** [sooperkanoon.com/1293841](https://sooperkanoon.com/1293841)

**Court :** Kerala

**Decided On :** Mar-26-2024

**Judge :** Honourable Mr.Justice Mohammed Nias C.P.

**Appeal No. :** WP(C)/16328/2023

**Appellant :** Jayakumar.K,

**Respondent :** State of Kerala

**Advocate for Pet/Ap. :** Sri. Benny Gervacis

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.  
TUESDAY, THE 26TH DAY OF MARCH 2024 / 6TH CHAITHRA, 1946  
WP(C) NO. 16328 OF 2023 PETITIONERS: 1 JAYAKUMAR.K,  
HEADMASTER, BRAHMANANDODAYAM HIGHER SECONDARY  
SCHOOL, KALADY, ERNAKULAM DISTRICT, PIN - 683574 2  
STEPHEN GEORGE, HEADMASTER, ST.JOHN'S HIGHER  
SECONDARY SCHOOL, ERAVIPEROOR, ERAVIPEROOR.P.O,  
PATHANAMTHITTA DISTRICT, PIN - 689542 \*3 MOHAMMED ALI,  
HEADMASTER (DELETED) CHENNAMANGALLUR HIGHER

SECONDARY SCHOOL, CHENNAMANGALLUR P.O., MUKKOAOM (VIA) KOZHIKODE DISTRICT -673602 (\*3RD PETITIONER REMOVED FROM THE PARTY ARRAY AT THE RISK OF PETITIONER AS PER ORDER DATED 27.11.2023 IN IA 5/23 IN WP(C) 16328/2023) 4 PRABHA.U, HEADMISTRESS, DEVASWOM BOARD HIGHER SECONDARY SCHOOL, CHERIYANAD, CHENGANNUR, ALAPPUZHA DISTRICT, PIN - 689511 BY ADVS. BENNY GERVACIS BEA MARY BENNY ABI BENNY AREECKAL RESPONDENTS: 1 STATE OF KERALA THE PRINCIPAL SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001 2 THE DIRECTOR OF GENERAL EDUCATION, GENERAL EDUCATION DEPARTMENT, HIGHER SECONDARY WING, -2- HOUSING BOARD BUILDINGS, SANTHI NAGAR, THIRUVANANTHAPURAM -, PIN - 695001

3 THE REGIONAL DEPUTY DIRECTOR, HIGHER SECONDARY EDUCATION, OFFICE OF THE REGIONAL DEPUTY DIRECTOR OF HIGHER SECONDARY EDUCATION, S.R.V.G.H.S.S BUILDING, KASTHURIRANGAN HALL, M.G.ROAD, ERNAKULAM, PIN - 682011

4 THE REGIONAL DEPUTY DIRECTOR, HIGHER SECONDARY EDUCATION, OFFICE OF THE REGIONAL DEPUTY DIRECTOR OF HIGHER SECONDARY EDUCATION, CHENGANNUR, ALAPPUZHA DISTRICT, PIN - 689121 5 THE REGIONAL DEPUTY DIRECTOR HIGHER SECONDARY EDUCATION, OFFICE OF THE REGIONAL DEPUTY DIRECTOR OF HIGHER SECONDARY EDUCATION, KOZHIKODE, PIN - 673001 6 THE MANAGER, BRAHMANANDODAYAM HIGHER SECONDARY SCHOOL, KALADY, ERNAKULAM DISTRICT, PIN -, PIN - 683574 7 THE CORPORATE MANAGER ST.JOHN'S EDUCATIONAL AGENCY, ERAVIPEROOR, ERAVIPEROOR P.O, PATHANAMTHITTA DISTRICT, PIN - 689542 \*8 THE MANGER, CHENNAMANGALLUR HIGHER SECONDARY SCHOOL, CHENNAMANGALLUR P.O., MUKKOM (VIA), KOZHIKODE-673602 (8TH RESPONDENT REMOVED FROM PARTY ARRAY AT

THE RISK OF THE PETITIONER AS PER ORDER DATED 27.11.2023  
IN IA 9 THE CORPORATE MANAGER (SECRETARY), TRAVANCORE  
DEVASWOM BOARD SCHOOLS, NANTHANCODE,  
THIRUVANANTHAPURAM, PIN - 695003 -3-

ADDL.R10 SMT. C.S.USHA RANI, HSST (CHEMISTRY),  
BRAHMANANDODAYAM HIGHER SECONDARY SCHOOL, KALADY,  
ERNAKULAM DISTRICT, PIN-683574 (ADDL. R10 IMPEADED AS PER THE  
ORDER DATED 21.06.2023 IN I.A.2/2023.) BY ADVS. ADVOCATE GENERAL  
OFFICE KERALA No Advocate Benoy Thomas PAULSON THOMAS  
SMT.K.G.SAROJINI, SR.GP THIS WRIT PETITION (CIVIL) HAVING COME UP  
FOR ADMISSION ON

11.03.2024, ALONG WITH WP(C).21147/2023, 21412/2023, THE COURT ON  
26.03.2024 DELIVERED THE FOLLOWING: -4-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.  
TUESDAY, THE 26TH DAY OF MARCH 2024 / 6TH CHAITHRA, 1946 WP(C)  
NO. 21147 OF 2023 PETITIONER: RANI .S., AGED 54 YEARS W/O  
KOLIYAKODE MOHAN KUMAR, HEADMISTRESS, S K V HIGHER  
SECONDARY SCHOOL, NANNIYODE, ATTINGAL, THIRUVANANTHAPURAM  
DISTRICT (RESIDING AT AARADHYA HR/66, HARITHAM NAGAR, ENIKKARA,  
KARAKULAM, THIRUVANANTHAPURAM-695 564), PIN - 695562 BY ADVS.  
V.A.MUHAMMED M.SAJJAD RESPONDENTS: 1 STATE OF KERALA  
REPRESENTED BY ITS SECRETARY TO GOVERNMENT, GENERAL  
EDUCATION DEPARTMENT, SECRETARIAT ANNEXE II,  
THIRUVANANTHAPURAM, PIN - 695001

2 DIRECTOR OF GENERAL EDUCATION (HIGHER SECONDARY WING)  
HOUSING BOARD BUILDINGS, SANTHI NAGAR, THIRUVANANTHAPURAM,  
PIN - 695014 3 THE REGIONAL DEPUTY DIRECTOR OF HIGHER  
SECONDARY EDUCATION, FORT, THIRUVANANTHAPURAM, PIN - 695036 4

THE MANAGER, S K V HIGHER SECONDARY SCHOOL, -5- NANNIYODE, ATTINGAL, THIRUVANANTHAPURAM, PIN - 695562 5 SMT. I.P.JAYALATHA , PRINCIPAL IN CHARGE, S K V HIGHER SECONDARY SCHOOL, NANNIYODE, ATTINGAL, THIRUVANANTHAPURAM, PIN - 695562 BY ADVS. ADVOCATE GENERAL OFFICE KERALA N.AJITH R5 BY SRI.PREMNATH B R4 BY SRI.K.JAYAKUMAR (SR.)(J-97) SMT.K.G.SAROJINI, SR.GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11.03.2024, ALONG WITH WP(C).16328/2023 AND CONNECTED CASES, THE COURT ON 26.03.2024 DELIVERED THE FOLLOWING: -6-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. TUESDAY, THE 26TH DAY OF MARCH 2024 / 6TH CHAITHRA, 1946 WP(C) NO. 21412 OF 2023 PETITIONER: STEPHEN GEORGE, AGED 54 YEARS PRINCIPAL, ST JOHN'S HIGHER SECONDARY SCHOOL, ERAVIPEROOR, ERAVIPEROOR.P.O, PATHANAMTHITTA DISTRICT -, PIN - 689542 BY ADVS. BENNY GERVACIS ABI BENNY AREECKAL BEA MARY BENNY RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001 2 THE DIRECTOR OF GENERAL EDUCATION GENERAL EDUCATION DEPARTMENT, HIGHER SECONDARY WING, HOUSING BOARD BUILDINGS, SANTHI NAGAR, THIRUVANANTHAPURAM -, PIN - 695001 3 THE REGIONAL DEPUTY DIRECTOR HIGHER SECONDARY EDUCATION, OFFICE OF THE REGIONAL DEPUTY DIRECTOR OF HIGHER SECONDARY EDUCATION, CHENGANNUR, ALAPPUZHA DISTRICT, PIN - 689121 4 THE CORPORATE MANAGER -7- ST. JOHN'S EDUCATIONAL AGENCY, ERAVIPEROOR, ERAVIPEROOR P.O, PATHANAMTHITTA DISTRICT -, PIN - 689542 5 BINDU P.THOMAS HSST MATHEMATICS, ST.JOHN'S HIGHER SECONDARY SCHOOL, ERAVIPEROOR, ERAVIPEROOR.P.O, PATHANAMTHITTA DISTRICT PIN - 689542 (NAME OF THE R5 IS SUBSTITUTED AS BINDU P.THOMAS AS PER ORDER DATED:14/07/2023 IN IA1/2023), BY SMT.K.G.SAROJINI, SR.GP THIS WRIT

PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11.03.2024, ALONG WITH WP(C).16328/2023 AND CONNECTED CASES, THE COURT ON 26.03.2024 DELIVERED THE FOLLOWING: -8-

**MOHAMMED NIAS C.P., J.**

----- Dated this the 26th day of March, 2024

## **JUDGMENT**

The petitioners are Headmasters in Aided High Schools under the management of respondents 6 to 9. They stated that they are fully qualified and eligible for by-transfer appointment as principals in the Higher Secondary Schools as per Rules 4 and 6 of Chapter XXXII of Kerala Education Rules (KER). They challenge Ext.P8 Executive Order which varies/amends the Statutory Rules mentioned above, depriving their right to get an appointment as Principal in the Higher Secondary School. It is the case of the petitioners that the vacancy of Principal arose on 1.6.2020 and petitioners 1, 2 and 4 are entitled to be appointed to the said vacancies. The method of appointment and the qualification of the post in the Aided Higher Secondary Schools are governed by Chapter XXXII of KER. By issuance of Ext.P8 order dated 3.5.2023, certain conditions are brought in for by-transfer appointments by stipulating that for granting by-transfer appointment to the Headmaster, the concerned subject of the -9- Headmaster should be available and further, if a Higher Secondary School Teacher in the same subject is available in the school, then such promotion need not be granted to the Headmaster. It is also stated in Ext.P8 that an appropriate amendment to this effect will be brought in the KER.

2. The Government has filed a counter, essentially contending that

the post of Principal is also a teaching post, and therefore, the Principal will have to do teaching work simultaneously, which will also ensure that there is no increase in the total sanctioned strength of teaching staff. Financial commitments for creating supernumerary posts for accommodating the existing HSSTs are also urged in support of Ext P8

## **Order.**

3. The contesting respondents also filed a counter pointing out

that the writ petition is not maintainable as there is a misjoinder of parties and multifariousness of cause of action. It is submitted that petitioners 2 to 4, respondents 7, 8 and 9 are total strangers to him, and therefore, they had to maintain a service litigation against strangers. Ext.P8 is sought to be sustained by stating that the Principal means a teacher who acts as the academic head of the Higher Secondary school, and therefore direction in Ext.P8, who has a subject taught in the school can act as a teacher at that -10- Higher Secondary School. It is also argued that it was within the powers of the Government to issue an order like Ext.P8.

4. WP(C)No.21412/2023 is filed challenging Ext.P5 order dated

23.6.2023 declining the appointment of the petitioner in that case and thus, the petitioner seeks appointment as Principal in accordance with Rule 5 of Chapter XXXII KER.

5. WP(C)No.21147/2023 is filed by a Headmistress in the fourth respondent school who claims that nobody else in the Higher Secondary school is qualified for promotion and therefore claimed appointment as Principal.

6. Learned counsel, Sri. Benny Gervacis, appearing for the

petitioners, submits that Ext.P8 has disastrous consequences as it tampers with the qualification fixed under the rival statutory rule. It is further pointed out that Ext.P8 thus varies, modifies and amends the statutory provision preventing a Headmaster who could have been appointed under the Rules from being appointed. It is also argued that the dictum laid down by the Division Bench in the judgment in Thomas K.L. v. State of Kerala and others (2013 KHC 3670), the judgment in Prasanna P. v. Director of -11- General Education (Higher Secondary Section) Tvm. [2023 (1) KHC 423] as well as the judgment in Jayaraj V.P. V State of Kerala and others (2016 KHC 419) has been tinkered with by passing Ext.P8 as the entire reasons in Ext.P8 are contrary to the express findings against the

Government rendered in those judgments. Ext.P8 further states the proposal to amend the relevant Rules, which means the Government itself knows that the proper course to get over a judgment by removing its basis could only be by amending the Rules. The passing of an Executive Order in the instant case to bypass the statutory provisions and the above judgments cannot be sustained.

7. Sri. Benoy Thomas, appearing for the contesting respondent,

submits that the writ petition is filed for misjoinder of parties and multifariousness of cause of action and relies on the judgment reported in Ashadevi N.P. And others v. State of Kerala and others [2020 (4) KHC 280]. He also points out that the Division Bench judgment in Jayarajas case cannot be understood to hold that the Government Orders to the extent it prescribes 60 hours of teaching to the Principal was set aside.

8. Learned Government Pleader also made submissions supporting Ext.P8 order.  
-12-

9. Learned senior counsel Sri. K. Jayakumar, opposing the prayers

in WP(C)No.21147/2023 submits that the petitioner is appointed as HSA (Mathematics) wherein she did not have a master's degree with more than 50%. In as much as her post-graduation for claiming the post of Principal is based on her marks in English, which is not in the concerned subject, she cannot be held to be qualified and the prescription of qualification in Chapter XXXII must be understood as a masters in the concerned subject, which should mean the graduation must also be in the same subject.

10. Learned counsel for the petitioners in the said writ petition

opposing the claim of the manager submits that he is qualified going by the Rules as it stands, and no dilution or variation can be made to the Rules by accepting a contention absent in a provision.

11. After hearing all the learned counsel on either side, it is clear

that Ext.P8, particularly the reasoning for passing Ext.P8, an Executive Order, falls in the teeth of the findings in the judgments referred to above. This Court had clearly given reasons as to why the teaching experience cannot be made mandatory. The contention on the financial liability to the State also was taken into account and expressly rejected. -13-

12. The findings in Thomas's case relevant in the context are

extracted hereunder:- 6. At the outset, we have to notice that the financial liability to the State is not a reigning consideration of this Court in interpreting statutory rules and notifications. The State in its wisdom, has thought it fit that the Headmasters of High Schools also should be given a limited opportunity to occupy the seat of a Principal of a Higher Secondary School and has deemed it fit to issue notifications protecting any displacement of teachers in the Higher Secondary Schools by virtue of such benefit given to the Headmasters of High School section. We are not financial watchdogs of the State and cannot at all, under Article 226 of the Constitution, meddle with the wisdom of the state and import our own concepts of financial viability. The State also cannot contend financial exigencies, when its own rules and notifications intend to confer a benefit on a particular category of teachers. XXX

9. The method of appointment postulates two sources from which the

Principal of a Higher Secondary School can be appointed. The first source is by promotion from Higher Secondary School Teacher and the second is by transfer from qualified Headmasters of aided High Schools, both under the respective educational agency. Note (iii) also provides that the filling up of the post of Principal by the methods provided should be in the ratio of 2:1 i.e., when two incumbents are appointed from Higher Secondary School Teachers, the next ought to -14- be from qualified Headmasters of High Schools. The qualifications prescribed in the two methods as noticed above, also show a subtle distinction. When selection and appointment is by promotion from Higher Secondary Schools Teachers, what is required is an approved teaching experience of 12 years at Higher secondary level in the same educational agency; obviously as a Higher Secondary School Teacher. In the case of transfer, what is required is approved

teaching experience of 12 years in the same educational agency, meaning that the teaching experience can also be at the High School Level. The educational qualifications are similar in both the methods; being a Master's Degree and a B.Ed Degree. We notice that while the qualification for Higher Secondary School Teachers specifically provide a master's and B.Ed Degree in the concerned subject, the absence of the word concerned subject in the qualifications prescribed for Principal amply demonstrates that the same is not a mandate as far as filling up the post of Principal is concerned. Definitely a Higher Secondary School Teacher promoted to the post of Principal would have Master's and B.Ed Degree in the same subject. There being no such stipulation in the qualification for the Principal, a Headmaster of a High School would not be required to have a Master's and B.Ed Degree in the very same subject. The absence of the words at the 'Higher Secondary Level' in the stipulation of experience of Headmasters and the absence of the word concerned in the qualification is not an inadvertent omission but is with definite intent and purpose; ensuring the benefit at least in one of the tree turns to Headmasters of High Schools. If the qualification of a Higher Secondary School Teacher were to be insisted for filling up the post of -15-Principal of the Higher Secondary School then the two methods of appointment prescribed and the mandate of the ratio of 2:1 would be rendered ineffective.

13. Ext.P8 virtually tinkers with the appointment to the post of

Principal the ratio of 2:1 between the Higher Secondary School Teachers and the Headmasters. The Headmasters who are eligible to be appointed as Principal on the possession of the qualifications as prescribed in the Rules, in particular, Rule 6(1) and on their turn following the ratio prescribed under Note III to Rule 4(1) of Chapter XXXII KER. These

**conditions are tinkered with while passing Ext.P8 order. Ext.P8 order**

clearly has the effect of amending the statutory provisions making the Headmasters who are otherwise eligible under the Rules ineligible. That apart, both the reasons mentioned in Ext.P8 as regards the aspect of teaching and

financial commitments were expressly rejected in the

## **judgments referred to above. The Government after suffering the judgment**

mentioned above, could not have attempted to come up with an order like Ext.P8 to get rid of those findings. Ext.P8 itself speaks of the proposal to amend the provisions concerned. In anticipation of the amendment, an executive order cannot have the effect of tinkering with the statutory prescriptions. By in Ext.P8 not only is the ratio prescribed in the Rules rendered unworkable, but also robs the Headmasters of the aided high -16- schools of their only opportunity for appointment as Higher Secondary School Principal, besides unsettling the seniority of the Headmasters under the corporate management, even paving the way of unqualified teachers to be appointed as Principal in charge when a qualified Headmaster is available.

14. The contention that the writ petition is bad for misjoinder of

parties/multifariousness of cause of action is also rejected as it is the Government Order that is called into question in all these writ petitions and on the commonality of the question of law arising in these cases, it cannot be said that WP(C)No.16328/2023 is bad for misjoinder of parties. The said objection is also hereby overruled.

15. For these reasons, the impugned order cannot be sustained.

Accordingly, they are quashed. There will be a direction to consider the case of the petitioners against the vacancies of Principal in the Higher Secondary School under their management strictly in accordance with Rules 4 and 6 of Chapter XXXII KER and with a further direction to the official respondents to approve the above appointments in terms of Rule 5 of Chapter XXXII KER. A decision shall be taken in the light of the declaration in the judgment within three weeks from the date of receipt of -17- a copy of this judgment after affording an opportunity of hearing to all the affected parties. The Writ Petitions are allowed as above. Sd/- MOHAMMED NIAS C.P. JUDGE dlk/13.3.2024 -18- APPENDIX OF WP(C)

21147/2023 PETITIONER'S EXHIBITS EXHIBIT P-1 TRUE COPY OF THE SENIORITY LIST OF TEACHERS BELONGING TO HS SECTION AS ON 01.01.2020 EXHIBIT P-2 TRUE COPY OF THE APPROVAL ORDER NO. B2/105485/2020 DATED 03.12.2020 OF THE DEO, ATTINGAL EXHIBIT P-3 TRUE COPY OF THE DECISION REPORTED IN 2005 KHC 19=2005 (1) KLT 94 DATED 04.11.2004 EXHIBIT P-4 TRUE COPY OF THE PETITION SUBMITTED BEFORE THE MANAGER DATED 24.6.2021 EXHIBIT P-5 TRUE COPY OF THE PETITION SUBMITTED BEFORE THE 1ST RESPONDENT DATED 24.01.2022 EXHIBIT P-6 TRUE COPY OF THE DECISION REPORTED IN 2016 KHC 419 DATED 26.02.2016 EXHIBIT P-7 TRUE COPY OF THE G.O. (MS.) NO. 290/2006/G.EDN. DATED 02.12.2006 EXHIBIT P-8 TRUE COPY OF G.O. (RT.) NO. 5014/2019/G.EDN. DATED 21.11.2019 EXHIBIT P-9 TRUE COPY OF G.O. (RT.) NO. 1260/2019/GEDN DATED 01.04.2019 EXHIBIT P-10 TRUE COPY OF G.O. (RT.) NO. 1992/2020/G.EDN. DATED 16.06.2020 EXHIBIT P-11 TRUE COPY OF G.O. (RT.) NO. 2913/2021/G.EDN. DATED 02.06.2021 EXHIBIT P-12 TRUE COPY OF G.O. (RT.) NO. 5829/2021/G.EDN. DATED 13.12.2021 -19- EXHIBIT P-13 TRUE COPY OF THE JUDGMENT IN WP(C) NO. EXHIBIT P-14 TRUE COPY OF THE HEARING NOTICE DATED 29.11.2022 EXHIBIT P-15 TRUE COPY OF THE G.O(MS. ) NO. 52/2023/G.EDN DATED 03.05.2023 EXHIBIT P-16 TRUE COPY OF THE G.O(RT.) NO. 3031/2023/G.EDN DATED 25.05.2023 EXHIBIT P-17 TRUE COPY OF THE G.O(RT) NO. 440/2023 DATED 18.01.2023 EXHIBIT P-18 TRUE COPY OF THE JUDGMENT IN W.A NO. 588/2023 DATED 22.03.2023 EXHIBIT P-19 TRUE COPY OF THE JUDGMENT IN WP(C) NO. EXHIBIT P-20 TRUE COPY OF JUDGMENT IN WP(C) NO. 2255/2023 DATED 13.03.2023 EXHIBIT P-21 TRUE COPY OF THE DECISION REPORTED IN 2007 (1) KHC 1027 = 2007 (2) KLT 622 (DB) DATED 12.01.2007 EXHIBIT P-22 TRUE COPY OF ORDER OF THE APEX COURT IN SPECIAL LEAVE TO APPEAL (C) NO. 31167/2014 DATED 15.12.2014 EXHIBIT P-23 TRUE COPY OF THE CERTIFICATE OF THE PETITIONER IN MA (ENGLISH) DATED 28.03.2012 EXHIBIT P-23(A) TRUE COPY OF THE MARK LIST OF THE PETITIONER IN MA (ENGLISH) DATED 23.02.2006 RESPONDENTS EXHIBITS EXHIBIT R1(a) TRUE COPY OF THE GO(MS)NO.11/2006/GE.DN DATED -20- DEPARTMENT EXHIBIT R1(b) TRUE COPY OF THE

GO(MS)NO.127/2021/GE.DN DATED DEPARTMENT -21- APPENDIX OF WP(C) 21412/2023 PETITIONER'S EXHIBITS EXHIBIT P1 A TRUE COPY OF THE ORDER DATED 1-4-2020 ISSUED

BY THE 4TH RESPONDENT APPOINTING THE PETITIONER AS HEAD MASTER AS APPROVED BY THE DISTRICT EDUCATIONAL OFFICER, THIRUVALLA EXHIBIT P2 A TRUE COPY OF THE ORDER GO(MS)NO.52/2023/GEDN DATED 03.05.2023 ISSUED BY THE 1ST RESPONDENT EXHIBIT P3 A TRUE COPY OF THE ABOVE INTERIM ORDER DATED 24.05.2023 IN WP(C) NO. 16328/2023 EXHIBIT P4 A TRUE COPY OF THE PROCEEDINGS OF THE 4TH RESPONDENT DATED 01.06.2023 APPOINTING PETITIONER AS PRINCIPAL WITH EFFECT FROM FORENOON OF 01.06.2023 AND THE APPOINTMENT

### **ORDER ALONG WITH DECLARATION AND OTHER**

DOCUMENTS EXHIBIT P5 A TRUE COPY OF THE ABOVE ORDER ISSUED BY THE 3RD RESPONDENT EXHIBIT P6 TRUE COPY OF THE ORDER NO.T.R.O-5(2)/2765/2023/H.S.E DATED 15.06.2023

### **EXHIBIT P7 TRUE COPY OF THE ORDER**

NO.311156/C2/2023/RDD/CHNR DATED 03.08.2023 -22- APPENDIX OF WP(C) 16328/2023 PETITIONER'S EXHIBITS EXHIBIT P1 TRUE COPY OF THE ORDER DATED 13-7-2021 ISSUED BY THE DISTRICT EDUCATIONAL OFFICER,ALUVA APPROVING THE APPOINTMENT OF THE 1ST PETITIONER AS HEADMASTER W.E.F.1-1-2021.

EXHIBIT P2 TRUE COPY OF THE ORDER DATED 1-3-2022 ISSUED BY THE 6TH RESPONDENT DECLARING THE PROBATION OF THE 1ST PETITIONER AS HEADMASTER. EXHIBIT P3 TRUE COPY OF THE ORDER DATED 1-4-2020 ISSUED BY THE 7TH RESPONDENT APPOINTING THE 2ND PETITIONER AS HEADMASTER. EXHIBIT P4 TRUE COPY OF THE ORDER DATED 20-4-2021 ISSUED BY THE 7TH RESPONDENT DECLARING THE PROBATION OF THE 2ND PETITIONER AS HEADMASTER W.E.F 1-4-2021. EXHIBIT P5 TRUE COPY

OF THE ORDER DATED 1-4-2014 ISSUED BY THE 8TH RESPONDENT APPOINTING THE 3RD PETITIONER AS HEADMASTER. EXHIBIT P6 TRUE COPY OF THE ORDER DATED 11-5-2022 ISSUED BY

THE DISTRICT EDUCATIONAL OFFICER. ALAPPUZHA, APPROVING THE APPOINTMENT OF THE 4TH PETITIONER AS HEADMASTER W.E.F. 3-6-2020. EXHIBIT P7 TRUE COPY OF THE ORDER ISSUED BY THE 9TH RESPONDENT DATED 4-11-2022 DECLARING THE PROBATION OF THE 4TH PETITIONER IN THE POST OF HEADMASTER W.E.F 3-6-2021.

EXHIBIT P8 TRUE COPY OF GO(MS)NO.52/2023/GEDN DATED 3-5-2023 ISSUED BY THE 1ST RESPONDENT. EXHIBIT P9 TRUE COPY OF ORDER NO. 11/2023 DATED 01.06.2023 ISSUED BY THE 6TH RESPONDENT -23-RESPONDENTS EXHIBITS EXHIBIT R10(A) TRUE COPY OF ORDER NO. 11/2023 DATED 1.6.2023 ISSUED BY THE MANAGER, B.H.S.S. KALADY RESPONDENT EXHIBITS EXHIBIT-R10(B) TRUE COPY OF THE APPROVAL ORDER ISSUED BY THE COMPETENT AUTHORITY NO. RDDHSE/EKM/3068/2023-B3 DATED 01-07-2023. EXHIBIT-R10(A) TRUE COPY OF THE APPOINTMENT ORDER NO. 11/2023 DATED 01-06-2023 ISSUED BY THE MANAGER. EXHIBIT-R10(C) TRUE COPY OF G.O.(MS)NO. 43/2005/G.EDN. DATED 11- 02-2005. EXHIBIT-R10(D) TRUE COPY OF G.O.(MS)NO. 11/2006/G.EDN. DATED 06- 01-2006. EXHIBIT-R10(E) TRUE COPY OF G.O. (MS)NO. 290/2006/G.EDN. DATED 02-12-2006. EXHIBIT-R10(F) TRUE COPY OF G.O.(MS)NO. 53/2019/G.EDN. DATED 31- 05-2019. EXHIBIT-R10(G) TRUE COPY OF G.O.(MS)NO. 127/2021/G.EDN. DATED 28-02-2021. EXHIBIT R1(A) TRUE COPY OF THE GO (MS) NO 11/2006/G.EDN DATED 06.01.2006 ISSUED BY THE GENERAL EDUCATION DEPARTMENT EXHIBIT R1(B) TRUE COPY OF THE GO (MS) NO 127/2021/G.EDN DATED 26.02.2021 ISSUED BY THE GENERAL EDUCATION DEPARTMENT

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