

Ivy J vs the State of Kerala

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Court : Kerala

Decided On : Jul-24-2024

Judge : Honourable Mr.Justice Ziyad Rahman a.a.

Appeal No. : WP(C)/26318/2024

Appellant : IVY J

Respondent : The State of Kerala

Judgement :

WPC.No.26318/24 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.
WEDNESDAY, THE 24TH DAY OF JULY 2024 / 2ND SRAVANA, 1946
WP(C).NO.26318 OF 2024 PETITIONER: IVY J., AGED 53 YEARS,
W/O.VINCENT JOSEPH HSST(JUNIOR) (MATHS), KRIST RAJ
HIGHER SECONDARY SCHOOL, KOLLAM DISTRICT - 691 001
(RESIDING AT BAZALEL NEAR MOUNT CARMEL SCHOOL ROAD
THANKASSERY, KOLLAM DISTRICT, PIN - 691 001.

BY ADVS. V.A.MUHAMMED M.SAJJAD RESPONDENTS: 1 THE
STATE OF KERALA, REPRESENTED BY ITS PRINCIPAL

SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT, SECRETARIAT ANNEX II, THIRUVANANTHAPURAM, PIN - 695 001. 2 THE DIRECTOR OF GENERAL EDUCATION, JAGATHY, THIRUVANANTHAPURAM, PIN - 695 014. 3 THE REGIONAL DEPUTY DIRECTOR OF HIGHER SECONDARY EDUCATION, THIRUVANANTHAPURAM, PIN - 695 033. 4 THE CORPORATE MANAGER, (DIOCESE OF KOLLAM) KRIST RAJ HIGHER SECONDARY SCHOOL, KOLLAM DISTRICT, PIN - 691 001. WPC.No.26318/24 2 5 SRI.ROYSTON.A, HM TURNED PRINCIPAL(NOT APPROVED), KRIST RAJ HIGHER SECONDARY SCHOOL, KOLLAM DISTRICT, PIN - 691 001. THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24.07.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WPC.No.26318/24 3

JUDGMENT

The petitioner is working s HSST Junior (Mathematics) in the School managed by the 4th respondent. Grievance of the petitioner is against the promotion given to the 5th respondent, who was working as Headmaster in the High School Section of the said school, to the post of Principal in the Higher Secondary Section. According to the petitioner, on account of such promotion being given to the 5 th respondent, he was denied the opportunity to get promotion to the post of HSST, available in the School consequent to the retirement of the Principal in whose place the 5 th respondent is appointed. According to the petitioner, he is denied the opportunity of promotion, as the 5th respondent now promoted, is also qualified to be appointed as HSST. In such circumstances, the petitioner submitted Ext.P3 representation before the 3rd respondent.

2. Limited prayer sought by the petitioner is to direct the 3 rd

respondent to pass orders on Ext.P3 within a time frame. After hearing the learned counsel for the petitioner and the learned Government Pleader, I am inclined to dispose of this writ petition. Accordingly, it is ordered that the 3 rd respondent shall take up Ext.P3 and appropriate orders thereon shall be passed after

WPC.No.26318/24 4 hearing the petitioner, the 4 th and 5th respondents. Orders in this regard shall be passed by following the timeline and preferences mentioned in the G.O.(Ms).No.54/2024/GEDN dated 01.06.2024. Sd/- ZIYAD RAHMAN A.A. JUDGE WPC.No.26318/24 5 APPENDIX OF WP(C) 26318/2024 PETITIONER EXHIBITS Exhibit P-1 TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER DATED 30.12.2013

Exhibit P-1(a) TRUE COPY OF THE PROCEEDINGS OF THE NO.TRO/4/992/15/HSE DATED 02.12.2015 Exhibit P-2 TRUE COPY OF THE SENIORITY LIST HSST (JUNIOR) DATED 01.01.2023 Exhibit P-3 TRUE COPY OF THE LETTER OF THE PETITIONER ADDRESSING THE REGIONAL DEPUTY DIRECTOR OF HIGHER SECONDARY EDUCATION DATED 12.06.2024 Exhibit P-3(a) TRUE COPY OF THE LETTER OF THE PETITIONER ADDRESSING THE CORPORATE MANAGER DATED 12.06.2024 Exhibit P-3(b) TRUE COPY OF THE LETTER OF THE PETITIONER ADDRESSING THE DIRECTOR OF GENERAL EDUCATION DATED 12.06.2024

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