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The Manager vs State of Kerala

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Court : Kerala

Decided On : May-02-2023

Judge : Honourable Mr.Justice Murali Purushothaman

Appeal No. : WP(C)/14864/2023

Appellant : The Manager

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN TUESDAY, THE 2ND DAY OF MAY 2023 / 12TH VAISAKHA, 1945 PETITIONER: THE MANAGER, CNN SCHOOLS CHERPU, CHERPU. P.O, THRISSUR-680 561, PIN - 680561 BY ADVS. M.U.VIJAYALAKSHMI K.JAJU BABU (SR.) BRIJESH MOHAN RESPONDENTS:

1 STATE OF KERALA, REPRESENTED BY SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001., PIN - 695001 2 THE DIRECTOR OF GENERAL EDUCATION,

DIRECTORATE OF GENERAL EDUCATION, JAGATHY, THIRUVANANTHAPURAM - 695 014. 3 THE REGIONAL DEPUTY DIRECTOR OF HIGHER SECONDARY EDUCATION, ERNAKULAM, OFFICE OF THE REGIONAL DEPUTY DIRECTOR OF HIGHER SECONDARY EDUCATION, SRVHSS BUILDING, KASTHURI RANGAN HALL, ERNAKULAM-682011. 4 SRI. AJOSH K.B, PRINCIPAL, CNN HIGHER SECONDARY SCHOOL, CHERPU, THRISSUR-680 561. 5 SMT. MEENA V.N, HSST (MATHEMATICS), CNN HIGHER SECONDARY SCHOOL, CHERPU, THRISSUR-680 561.

SMT. RESMITHA RAMACHANDRAN-GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02.05.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioner, the manager of an aided school, suspended respondents 4 and 5, the Principal and HSST respectively, vide Exts.P5 and P6 orders. Later, respondents 4 and 5 were issued with memo of charges and statement of allegation and they had submitted their reply thereto. The petitioner sought sanction for extending the period of suspension beyond 15 days as stipulated in Rule 67(8) of Chapter XIV A of KER and to conduct enquiry. However, the 3rd respondent, by Ext. P14, rejected the request of the petitioner to extend the period of suspension beyond 15 days. Against Ext.P14, the petitioner preferred Ext.P15 revision petition before the 1st respondent. The limited prayer of the petitioner is for a direction to the 1st respondent to consider and pass orders on Ext.P15, within a time limit.

2. There will be a direction to the 1 st

respondent to consider and pass orders on Ext.P15 within a period of one month from the date of receipt of a copy of this judgment after hearing the petitioner and respondents 4 and 5. The writ petition is disposed of. Sd/- MURALI PURUSHOTHAMAN JUDGE msp APPENDIX OF WP(C) 14864/2023 PETITIONER EXHIBITS: Exhibit P1 TRUE COPY OF THE SHOW CAUSE

NOTICES DATED 22.2.2023 ISSUED BY THE PETITIONER TO 4TH Exhibit P2 TRUE COPY OF THE SHOW CAUSE NOTICES DATED 22.2.2023 ISSUED BY THE PETITIONER TO 5TH Exhibit P3 TRUE COPY OF THE REPLY DATED 27.2.2023 SUBMITTED BY 4TH RESPONDENT TO THE PETITIONER Exhibit P4 TRUE COPY OF THE REPLY DATED 7.3.2023 SUBMITTED BY 5TH RESPONDENT TO THE PETITIONER Exhibit P5 TRUE COPY OF THE PROCEEDINGS OF THE PETITIONER DATED NIL SUSPENDING 4TH RESPONDENT FROM Exhibit P6 TRUE COPY OF THE PROCEEDINGS OF THE PETITIONER DATED NIL SUSPENDING 5TH RESPONDENT FROM Exhibit P7 TRUE COPY OF MEMO OF CHARGES AND STATEMENT OF PETITIONER TO 4TH RESPONDENT Exhibit P8 TRUE COPY OF MEMO OF CHARGES AND STATEMENT OF PETITIONER TO 5TH RESPONDENT Exhibit P9 TRUE COPY OF THE REPLY DATED 1.4.2023 GIVEN BY THE 4TH RESPONDENT TO THE PETITIONER Exhibit P10 TRUE COPY OF THE REPLY DATED 27.3.2023 SUBMITTED BY THE 5TH RESPONDENT Exhibit P11 TRUE COPY OF LETTER NO. CNN/HSS/23 DATED 10.04.2023 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT Exhibit P12 TRUE COPY OF NOTICE NO. RDDHSE/EKM/1925/2023-B1 DATED 12.4.2023 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER Exhibit P13 TRUE COPY OF THE STATEMENT DATED 13.4.2023 SUBMITTED BY THE PETITIONER BEFORE THE 3RD Exhibit P14 TRUE COPY OF ORDER NO. RDDHSE/EKM/1925/2023-B1 DATED 15.4.2023 ISSUED BY THE 3RD RESPONDENT Exhibit P15 TRUE COPY OF THE REVISION PETITION DATED 20.4.2023 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT

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