

Mini Varghese vs State of Kerala

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Court : Kerala

Decided On : May-31-2023

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : WP(C)/17391/2023

Appellant : Mini Varghese

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
WEDNESDAY, THE 31ST DAY OF MAY 2023 / 10TH JYAISHTA, 1945
WP(C) NO. 17391 OF 2023 PETITIONER: MINI VARGHESE AGED 49
YEARS, W/O AJI MATHEW OFFICE ATTENDANT, ST. GEORGE
VOCATIONAL HIGHER-SECONDARY SCHOOL, CHOWALLOOR,
EDAKKADOM, KOTTARAKKARA, KOLLAM DISTRICT (RESIDING AT
MUKALUVILA VEED, KIZHAKKETHERUV, KOTTARAKKARA, KOLLAM
DISTRICT), PIN - 691505 BY ADVS. V.A.MUHAMMED M.SAJJAD
P.A.JENZIA RESPONDENTS:

1 STATE OF KERALA REPRESENTED BY ITS SECRETARY TO
GOVERNMENT, GENERAL EDUCATION DEPARTMENT,
SECRETARIAT ANNEXE II, THIRUVANANTHAPURAM, PIN - 695001 2
THE DIRECTOR OF GENERAL EDUCATION (VOCATIONAL HIGHER
SECONDARY) HOUSING BOARD BUILDINGS, SANTHI NAGAR
THIRUVANANTHAPURAM, PIN - 695001 3 THE ASSISTANT
DIRECTOR REGIONAL VHSE OFFICE, BAVANA NAGAR, KOLLAM
DISTRICT - 691008, PIN - 691008 4 THE MANAGER 5 THE PRINCIPAL
SMT.NISHA BOSE, SR.GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 31.05.2023, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

P.V.KUNHIKRISHNAN, J.

----- W.P.(C).No.17391 of 2023
----- Dated this the 31st day of May, 2023

JUDGMENT

This writ petition is filed with following prayers:

i. Call for Exhibit P-6 and set aside the original of the same by issuing a writ of certiorari or other appropriate writ or order. ii. Issue a writ of mandamus or other appropriate writ or order commanding the Respondents to approve the appointment of the Petitioner covered by Exhibit P-5. iii. Issue a writ of mandamus or other appropriate writ or order commanding the 1 st Respondent to take a decision on Exhibit P-7 taking into account Exhibit P-8, with notice to the Petitioner and within a time limit, allowing the Petitioner to continue in service in the while. iv. to dispense with filing of English translation of vernacular documents produced in the Writ Petition. v. pass such other order or direction which this Hon'ble Court may deem fit and proper to grant in the circumstances

of the case. (SIC)

2. When this writ petition came up for consideration, the counsel for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the 1st respondent to

3. Heard the learned Government Pleader also.

4. After hearing both sides, I think this writ petition itself can be disposed of directing the 1st respondent to Therefore, this writ petition is disposed of in the following manner:

1. The 1st respondent is directed to consider and

pass appropriate orders in Ext.P7, after affording an opportunity of hearing to the petitioner, as expeditiously as possible, at any rate, within four months from the date of receipt of a stamped certified copy of this judgment.

2. The petitioner will produce a stamped certified

copy of this judgment along with a copy of this writ petition before the 1st respondent for compliance. sd/- P.V.KUNHIKRISHNAN JV JUDGE APPENDIX OF WP(C) 17391/2023 PETITIONER EXHIBITS Exhibit P-1 TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER DATED 16.10.2002 Exhibit P-2 TRUE COPY OF THE PROCEEDINGS OF THE

DIRECTOR OF VHSS, VIDE ORDER

NO.E3/10944/02/R.DIS DATED 28.02.2023 Exhibit P-3 TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER DATED 21.07.2007 WITH Exhibit P-4 TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER DATED 21.07.2012 WITH Exhibit P-5 TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER DATED 1.7.2021 Exhibit P-6 TRUE COPY OF THE ORDER OF THE DIRECTOR

TO THE ASST.DIRECTOR, VHSS, KOLLAM VIDE ORDER NO. E3/5268/2021 DATED 19.7.2022 (ALONG WITH TYPED COPY) Exhibit P-7 TRUE COPY OF

THE REVISION PETITION SUBMITTED BY THE PETITIONER BEFORE THE GOVERNMENT DATED 15.05.2023 Exhibit P-8 TRUE COPY OF THE G.O.(MS.) NO. Exhibit P-9 TRUE COPY OF THE G.O. (MS).NO.111/2022/G.EDN DATED 25.6.2022

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