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N. Mahesh vs the State of Kerala

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Court : Kerala

Decided On : Oct-03-2023

Judge : Honourable Mr. Justice T.R.Ravi

Appeal No. : WP(C)/32329/2023

Appellant : N. Mahesh

Respondent : The State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE T.R.RAVI TUESDAY, THE 3RD DAY OF OCTOBER 2023 / 11TH ASWINA, 1945 PETITIONER: N. MAHESH AGED 55 YEARS SON OF C.M. NARAYANAN, PHYSICAL EDUCATION TEACHER, CHITTILAMCHERRY, PALAKKAD DISTIRICT, PIN - 678704(SERVING IN GOVERNMENT HIGHER SECONDARY SCHOOL, KUMARANELLUR, PALAKKAD DISTRICT-679552 (ON DEPLOYMENT UNDER PROTECTION), (RESIDING AT PANAMPULLIKKALAM, KORANCHIRA, KIZHAKKANCHERRY, PALAKKAD DISTRICT-678784). BY ADV V.A.MUHAMMED RESPONDENTS:

1 THE STATE OF KERALA REPRESENTED BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT, SECRETARIAT ANNEXE II, THIRUVANANTHAPURAM, PIN - 695001. 2 THE DIRECTOR OF GNERAL EDUCATION JAGATHY, THIRUVANANTHAPURAM, PIN - 695014. 3 THE DEPUTY DIRECTOR OF EDUCATION, CIIVIL STATION, PALAKKAD DISTRICT, PIN - 678001. 4 THE ASSISTANT EDUCATIONAL OFFICER, ALATHUR, PALAKKAD DISTRICT, PIN - 678541. 5 THE HEADMASTER/VICE PRINCIPAL GOVERNMENT HIGHER SECONDARY SCHOOL, KUMARANELLUR, PALAKKAD DISTRICT, PIN - 679552. 6 THE MANAGER CHITTILAMCHERRY, PALAKKAD DISTIRICT, PIN - 678704.

7 THE HEADMASTER CHITTILAMCHERRY, PALAKKAD DISTIRICT, PIN - 678704. SMT. NISHA BOSE, SR.GP. THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03.10.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

T.R. RAVI, J.

---------- W.P. (C) No.32329 of 2023 ---------- Dated this the 03rd day of October, 2023

JUDGMENT

Admit. Government Pleader takes notice for respondents 1 to 4. In view of the order that is proposed to be issued, notice to respondents 5 to 7 is dispensed with.

2. Aggrieved by the deployment of physical education

teacher, the petitioner has preferred Ext.P9 revision before the 2nd respondent. The petitioner seeks early disposal of the same. The petitioner submits that Exts.P7 and P8 are judgments rendered in similar circumstances in favour of the request that is made by the petitioner. In view of the limited prayer made, this writ

petition is disposed of directing the 2nd respondent to consider and pass orders on Ext.P9 after hearing the petitioner at the earliest, at any rate within three months from the date of receipt of a copy of this judgment. The 2nd respondent shall have due regard to Exts.P7 and P8 judgments. The petitioner shall produce a copy

of the writ petition along with a certified copy of the judgment

before the 2nd respondent for compliance. Sd/- T.R.RAVI JUDGE mpm APPENDIX OF WP(C) 32329/2023 PETITIONERS EXHIBITS Exhibit P-1 TRUE COPY OF THE ORDER NO. G/4324/04 DATED 01.12.2004 OF THE AEO, ALATHUR. Exhibit P-2 TRUE COPY OF THE STAFF FIXATION ORDER NO. D.DIS. C/40942/2022 DATED 21.08.2022 OF THE AEO, ALATHUR FOR THE ACADEMIC YEAR 2022-2023, Exhibit P-3 TRUE COPY OF THE STAFF FIXATION ORDER NO. D.DIS. C/53391/2023 DATED 26.08.2023 OF THE AEO, ALATHUR FOR THE YEAR 2023-2024. Exhibit P-4 TRUE COPY OF THE ORDER NO. DDEPKD/ PALAKKAD. Exhibit P-5 TRUE COPY OF THE RELIEVING ORDER DATED 07.09.2023 OF THE HEADMISTRESS. Exhibit P-6 TRUE COPY OF THE G.O. (P) NO. Exhibit P-7 TRUE COPY OF THE JUDGMENT DATED 01.04.2019 IN W.A. NO. 1529/2015. Exhibit P-8 TRUE COPY OF THE JUDGMENT IN W.P. (C) NO. Exhibit P-9 TRUE COPY OF THE REVISION PETITION SUBMITTED BEFORE THE DIRECTOR DATED 11.09.2023.

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