

Manager vs State of Kerala

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Court : Kerala

Decided On : May-31-2022

Judge : Honourable Mr. Justice Raja Vijayaraghavan V

Appeal No. : WP(C)/5296/2022

Appellant : Manager

Respondent : State of Kerala

Judgement :

WP(C) NO. 5296 OF 2022 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V TUESDAY, THE 31ST DAY OF MAY 2022 / 10TH JYAISHTA, 1944 WP(C) NO. 5296 OF 2022 PETITIONER/S: MANAGER NADVATHUL ISLAM UPPER PRIMARY SCHOOL, P.O.NADVATH NAGAR, ALAPPUZHA DISTRICT-688 526. BY ADVS. P.M.PAREETH AISWARYA VENUGOPAL RESPONDENT/S: 1 STATE OF KERALA REPRESENTED BY SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001

2 DIRECTOR OF GENERAL EDUCATION, JAGATHY, THIRUANANTHAPURAM-695 014. 3 DISTRICT EDUCATIONAL OFFICER CHERTHALA, ALAPPUZHA DISTRICT-688 524. 4 ASSISTANT EDUCATIONAL OFFICER, THURAVOOR, ALAPPUZHA DISTRICT-688 532 SRI. SUNIL KUMAR KURIAKOSE, SR.GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.05.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C) NO. 5296 OF 2022 2

JUDGMENT

The petitioner herein is the Manager of Nadvathul Islam UP School, an aided school governed by the provisions of the Kerala Education Act and Rules framed thereunder. The petitioner has approached this Court being aggrieved by the long and indiscriminate delay in granting approval of the appointment of the teachers covered by Exts.P1 to P9 appointment orders. The following prayers are sought in this writ petition.

1. A direction to the fourth respondent to pass orders on Exhibit P12 submitted by the petitioner in regard to the approval of appointment of the teachers covered by Exhibit P1 to P9 appointment orders in compliance with Exhibit P10 Government order and P11 circular.
2. To grant cost.
2. I have heard Sri. P.M. Pareeth, the learned counsel appearing for the petitioner and Sri. Sunil Kumar Kuriakose, the learned Senior Government Pleader.
3. Having regard to the facts and circumstances and the submissions

WP(C) NO. 5296 OF 2022 3 made across the Bar, this writ petition is disposed of directing the 4th respondent to take up, consider and pass appropriate orders on Ext.P12 in the light of Exts.P10 and P11, after hearing the petitioner as well as the affected parties, expeditiously, in any event, within a period of six weeks from the date of receipt of a certified copy of this judgment. The petitioner shall produce a

copy of the writ petition along with the

judgment before the 4th respondent to ensure compliance.

Sd/- RAJA VIJAYARAGHAVAN V JUDGE NS WP(C) NO. 5296 OF 2022 4
APPENDIX OF WP(C) 5296/2022 PETITIONER(S) EXHIBITS :

Exhibit P1 A TRUE PHOTO COPY OF THE APPOINTMENT ORDER

DATED 2.6.2016 IN RESPECT OF SMT. JUBINA V.B.

Exhibit P2 A TRUE PHOTO COPY OF THE APPOINTMENT ORDER

DATED 3.6.2016 IN RESPECT OF SMT. SHAKKIRA BEEVI V.M.

Exhibit P3 A TRUE PHOTO COPY OF THE APPOINTMENT ORDER

DATED 1.6.2017 IN RESPECT OF SMT. RASEENA A.

Exhibit P4 A TRUE PHOTO COPY OF THE APPOINTMENT ORDER

DATED 1.6.2017 IN RESPECT OF SMT. SHIBINA K.

Exhibit P5 A TRUE PHOTO COPY OF THE APPOINTMENT ORDER

DATED 1.6.2018 IN RESPECT OF SMT. IRFANA S.

Exhibit P6 A TRUE PHOTO COPY OF THE APPOINTMENT ORDER

DATED 1.6.2018 IN RESPECT OF SMT FARSANA N SATHAR

Exhibit P7 A TRUE PHOTO COPY OF THE APPOINTMENT ORDER

DATED 6.6.2019 IN RESPECT OF MR MOHAMMED FAHIS M.N.

Exhibit P8 A TRUE PHOTO COPY OF THE APPOINTMENT ORDER

DATED 6.12.2019 IN RESPECT OF SMT. ANEESA K.P

Exhibit P9 A TRUE PHOTO COPY OF THE APPOINTMENT ORDER

DATED 6.6.2019 IN RESPECT OF SMT. ANEESHA E.BAVA Exhibit P10 A TRUE PHOTOCOPY OF THE GO(P) NO 4/2021/GEDN DATED 6.2.2021 Exhibit P11 A TRUE PHOTOCOPY OF THE CIRCULAR NO H2/19500/2019/DGE DATED 26.2.2021 ISSUED BY THE SECOND RESPONDENT Exhibit P12 A TRUE PHOTOCOPY OF THE AFFIDAVIT AND THE COVERING LETTER DATED 10.3.2021 SUBMITTED BY THE PETITIONER BEFORE THE FOURTH RESPONDENT RESPONDENT(S) EXHIBITS : NIL

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