

P.Ditty Tom vs the a.E.O.and Others

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Court : Kerala

Decided On : Sep-16-2022

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : WP(C)/14499/2010

Appellant : P.Ditty Tom

Respondent : The a.E.O.and Others

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
FRIDAY, THE 16TH DAY OF SEPTEMBER 2022 / 25TH BHADRA, 1944
WP(C) NO. 14499 OF 2010 PETITIONER: P.DITTY TOM, W/O.P.LIJOY
JOHN AGED 30 YEARS, UPPER PRIMARY SCHOOL ASSISTANT,
ST.THOMAS U.P.SCHOOL, PARANNUR,, CHOONDAL, THRISSUR
DISTRICT. , SRI.K.E.HAMZA SRI.T.V.VIJAYARAJAN RESPONDENTS:
1 THE ASSISTANT EDUCATIONAL OFFICER, KUNNAMKULAM,
THRISSUR DISTRICT,PIN-680503 2 THE HEADMASTER, ST.THOMAS
U.P.SCHOOL, PARANNUR, CHOONDAL, 3 THE MANAGER,
ST.THOMAS U.P.SCHOOL, PARANNUR CHOONDAL,
KUNNAMKULAM EDUCATIONAL SUB DISTRICT, GOVERNMENT

PLEADER M.SASINDRAN OTHER PRESENT:
SRI.C.N.PRABHAKARAN, SR.GP THIS WRIT PETITION (CIVIL)
HAVING COME UP FOR ADMISSION ON 16.09.2022, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:

P.V.KUNHIKRISHNAN, J.

----- W.P.(C).No.14499 of 2010
----- Dated this the 16th day of September,
2022

JUDGMENT

This writ petition is filed with following prayers: i. Call for the records relating to Exhibit P-4 and quash the original of the same by the issue of a writ of certiorari or other appropriate writ or

order.

ii. Issue a writ of mandamus or other appropriate Respondents to disburse the pay and allowances to the Petitioner so long as her approval continues and also Exhibit P-3 is in force. iii. Issue a writ of mandamus or other appropriate Respondents to disburse the salary of the Petitioner for the month of April 2010 onwards, pending disposal of the Writ Petition. iv. 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. According to the petitioner, she is an approved

teacher in the 3rd respondent School since 07.06.2004. The grievance of the petitioner is that she has not received salary. The petitioner is challenging Ext.P4 order passed by the Assistant Educational Officer, by which the 2 nd respondent was directed to stop the payment of salary to the teachers whose appointment was approved on the strength of the judgment in W.P.(C). No.20369 of 2006 in the

light of the stay order passed by the Division Bench. When this writ petition came up for consideration on 15.09.2022, there was no representation for the petitioner. Hence the case was posted to today. Today also there is no representation. Probably the prayers in this writ petition might have been infructuous. Therefore, this writ petition is dismissed. Sd/- P.V.KUNHIKRISHNAN JV JUDGE APPENDIX OF WP(C) 14499/2010 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER Exhibit P2 TRUE COPY OF THE APPOINTMENT ORDER OF THE SMT.SHIBI U.M.

Exhibit P3 TRUE COPY OF THE ORDER

NO.B-2153/09/D.DIS OF THE ASSISTANT EDL.OFFICER. Exhibit P4 TRUE COPY OF THE ORDER NO.B-579/2010/ OF THE ASSISTANT EDUCATIONAL OFFICER.

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