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State of Kerala vs Philip Augustine,

State of Kerala vs Philip Augustine,

SooperKanoon Citation : sooperkanoon.com/1669565

Court : Kerala

Decided On : Dec-15-2021

Judge : Honourable Dr. Justice a.K.Jayasankaran Nambiar,Honourable Mr.Justice Mohammed Nias C.P.

Appeal No. : WA/1132/2021

Appellant : State of Kerala

Respondent : Philip Augustine,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A NO.916 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN W.P(C).NO.1033/2020 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN W.P.(C): 1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE SPECIAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION

DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION VAYASKARAKUNNU, KOTTAYAM-686 001 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENT/PETITIONER IN W.P.(C): SUMAYAMMA GEORGE W/O TOMICHEN P.A, KAITHAPARAMBIL, THOTTAKADU P.O. KOTTAYAM-686 349 (RETIRED ASSOCIATE PROFESSOR OF PHYSICS FROM ASSUMPTION COLLEGE, CHANGANACHERRY) BY ADV. SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.978/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 2 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.978 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.37075/2017 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1 TO 5 IN W.P(C):

1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION DIRECTORATE OF COLLEGIATE

EDUCATION, KOZHIKODE, PIN-675 001.

5 THE ACCOUNTANT GENERAL (A& E) KERALA, THIRUVANANTHAPURAM, PIN-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 3 :: RESPONDENTS/PETITIONERS & 6TH RESPONDENT IN WPC:

1 PROF. ABDUL HAMEED P. AGED 57 YEARS, ASSOCIATED PROFESSOR (RTD.) MES MAMPAD COLLEGE, MAMPAD, MALAPPURAM, RESIDING AT PARIYARATH HOUSE, PULVETTA P.O.KARUVARAKUNDU VIA, MALAPPURAM-676 523. 2 PROF. MAJEED P.O, ASSOCIATED PROFESSOR (RTD), MES MAMPADD COLLEGE, MAMPAD, MALAPPURAM, RESIDING AT PUTHENPURAYIL HOUSE, PULLOOKKARA, THALASSERY, KANNUR-670 672. 3 A.J.HAREENDRAN, S/O K.T.APPUNI NAIR, ASSOCIATE PROF (RETIRED), PAYYANNUR COLLEGE, PAYYANNUR, RESIDING AT SREE NILAYAM, NEW SAI MANDIR, PAYYANNUR P.O., KANNUR, PIN-670 307. 4 CALICUT UNIVERSITY REPRESENTED BY ITS REGISTRAR-673 635. BY ADV.SRI.SIJI ANTONY BY ADV.SRI.M.S.RADHAKRISHNAN NAIR BY ADV.SRI.P.M.JOSEPH BY SRI.P.C.SASIDHARAN, SC, CALICUT UNIVERSITY THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 4 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A NO.1082 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.23294/2020 OF HIGH

COURT OF KERALA APPELLANTS/RESPONDENT IN W.P.(C): 1 STATE OF KERALA REP.BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM, 695 001 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION KOZHIKODE 673 001 5 STATE OF KERALA REP. BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 5 :: RESPONDENT/PETITIONER IN W.P.(C): AYISHA M.T. AGED 57 YEARS, W/O.ABDUL KHAYOOM K.V., NARIKKUTH HOUSE, P.O. PULIKKAL, MALAPPURAM DISTRICT (RETIRED ASSOCIATE PROFESSOR IN ARABIC FROM DARUL ULOOM ARABIC COLLEGE, VAZHAKKADI)-673 637 BY ADV SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 6 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1083 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN W.P(C).NO.23783/2020 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT,THIRUVANANTHAPURAM-695 001 2 THE PRINCIPAL

SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001 3 THE DIRECTOR NOF COLLEGIATE EDUCATION, VKAS BHAVAN, THIRUVANANTHAPURAM-695 001 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, KOZHIKODE-673 001 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 7 :: RESPONDENT/PETITIONER IN WPC:

FYSALA KUTTIPURATH CHALIL D/O. ALAVI MAULAVI KUTTIPURATH CHALIL, AFRAH MANZIL, PULICKAL P.O., ALUNGAL, MALAPPURAM DISTRICT-673 637 (RTD. ASSOCIATE PROFESSOR IN ARABIC FROM ANVARUL ISLAM WOMENS ARABIC COLLEGE, MONGAM. BY ADV SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 8 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A NO.1087 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN W.P(C).NO.27465/2020 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001 3 THE DIRECTOR OF COLLEGIATE EDUCATION, GROSS JUNCTION,

KADAPAKADA, KOLLAM-691 001 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, GROSS JUNCTION, KADAPAKADA, KOLLAM-691 001 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 9 :: RESPONDENT/PETITIONER IN WPC: RACHEL GEORGE AGED 59 YEARS W/O.AJITHKUMAR MANUEL, SANKEERTHANAM, TC 24/2069, PANAVILA JUNCTION, THYCAUD, THIRUVANANTHAPURAM-695 014 BY ADV SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 10 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1090 OF 2021 AGAINST THE JUDGMENT DATED 14.7.2021 IN W.P(C).NO.10519/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA, REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, VAYASKARAKUNNU, KOTTAYAM-686 001. 5 STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT,

THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 11 :: RESPONDENT/PETITIONER IN WPC: DR.TUTU.M.JOHN, W/O.DR.OOMMEN ZACHARIAH, MAMOOTIL HOUSE, FLAT NO.302, B.TECH, LIVINSHIRE APARTMENTS, THIRUVALLA-689 101 (RETIRED ASSOCIATE PROFESSOR IN MATHEMATICS, MARTHOMA COLLEGE, THIRUVALLA). BY ADV. SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 12 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A NO.1092 OF 2021 AGAINST THE JUDGMENT DATED 14.7.2021 IN WP(C).NO.11679/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA, REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION, OFFICE OF THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, OFFICE OF THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, VYSAKARA KUNNU, KOTTAYAM-686 001. 5 THE STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA

KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 13 :: RESPONDENT/PETITIONER IN WPC:

DR.BINO THOMAS, S/O.DR.THOMAS T.VAVOLICKAL, VAVOLICKAL HOUSE, NEAR CMS COLLEGE, KOTTAYAM-686 001 (RETIRED HEAD OF DEPARTMENT AND ASSOCIATE PROFESSOR IN COMMERCE, BAM COLLEGE, THURITHICAD, PATHANAMTHITTA). BY ADV. SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 14 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A NO.1094 OF 2021 AGAINST THE JUDGMENT DATED 14.7.2021 IN WP(C).NO.11391/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA, REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE SPECIAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, VAYASKARAKUNNU, KOTTAYAM-686 001. 5 STATE OF KERALA, REPRESENTED BY CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 15 :: RESPONDENT/PETITIONER IN WPC: J.GEORGE NEERNAL, AGED

57 YEARS, S/O.N.U.ULAHANNAN, NEERANAL HOUSE, KUMARAMANGALAM P.O., THODUPUZHA, IDUKKI-685 608 (RETIRED ASSOCIATE PROFESSOR IN ECONOMICS, NIRMALA COLLEGE, MUVATTUPUZHA). BY ADV. SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 16 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1095 OF 2021 AGAINST THE JUDGMENT DATED 9.7.2021 IN WP(C).NO.10293/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN W.P.(C): 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATIONAL DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN THIRUVANANTHAPURAM 695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, ERNAKULAM, HOSPITAL ROAD, KOCHI 682 011. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 17 :: RESPONDENT/PETITIONER IN W.P.(C): RAGEENA JOSEPH, W/O. DR. THOMAS JOSEPH, NEDUMPARA HOUSE, OLAMATTOM, THODUPUZHA, 685 584, (RETIRED ASSOCIATE PROFESSOR IN PHYSICS FROM NEW MAN

COLLEGE, THODUPUZHA). BY ADV. SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 18 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A NO.1110 OF 2021 AGAINST THE JUDGMENT DATED 9.7.2021 IN W.P(C).NO.10099/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001 3 THE DIRECTOR OF COLLEGIATE EDUCATION THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION CROSS JUNCTION, KADAPAKADA, KOLLAM-691 001. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 19 :: RESPONDENT/PETITIONER IN WPC: DR.THARA K.V AGED 59 YEARS, W/O RAJENDRAN, NANDANAM, NTV NAGAR-41, KADAPAKADA, KOLLAM-691 008, (RETIRED ASSOCIATE PROFESSOR IN SANSKRIT FROM S.N. COLLEGE, KOLLAM) BY ADV. SRI. M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 20 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A NO.1111 OF 2021 AGAINST THE JUDGMENT DATED 8.4.2021 IN W.P(C).NO.8321/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION THIRUVANANTHAPURAM-695001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION ERNAKULAM, HOSPITAL ROAD, KOCHI-682011. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 21 :: RESPONDENT/PETITIONER IN WPC: JOY MATHEW S/O.MATHEW, PEAPPATHIYIL, AVOLI P.O., PIN-686 670, MUVATTUPUZHA (RETIRED ASSOCIATE PROFESSOR IN COMMERCE, NIRMALA COLLEGE, MUVATTUPUZHA. BY ADV. SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 22 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH

AGRAHAYANA, 1943 W.A.NO.1112 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN W.P(C).NO.30805/2018 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN W.P.(C): 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE SPECIAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION KOLLAM-691 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 23 :: RESPONDENTS/PETITIONERS IN W.P.(C):

1 RAJEEV D. S/O. K.V.DIVAKARA PANICKER, RAJEEVAM, DREAM NAGAR, KANNIMELCHERRY, KAVANADU P.O., KOLLAM-691 003 (RETIRED AS ASSOCIATE PROFESSOR OF PHYSICAL EDUCATION, S.N. COLLEGE, KOLLAM). 2 DR.JUBAIRA BEEVI DILDAR, KERALAPURAM, PERUMPUZHA P.O., KOLLAM-691 504 (RETIRED AS PRINCIPAL, T.K.M. ARTS AND SCIENCE COLLEGE, KOLLAM). 3 SMT.USHA L.R. MUKHIL VHLRA 103, THEVALLY P.O., KOLLAM-691 009 (RETIRED AS ASSOCIATE PROFESSOR OF ECONOMICS FATIMA MATHA NATIONAL COLLEGE, KOLLAM). 4 SMT.SOPHIAMMAL NATTAR P. MARYTONES JNRA 47/A, PATTATHANAM P.O., KOLLAM-691 021. (RETIRED AS ASSOCIATE PROFESSOR OF BOTANY, FATIMA MATHA NATIONAL COLLEGE, KOLLAM). 5 V.R.AJITHKUMAR AMBADI AKSHAYA NAGAR, KADAPAKADA, KOLLAM-691 008 (RETIRED AS ASSOCIATE PROFESSOR OF MALAYALAM, ST. STEPHENS COLLEGE, PATHANAPURAM). BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT

ON 15.12.2021 DELIVERED THE FOLLOWING: :: 24 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1113 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN W.P(C).NO.30370/2018 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN W.P.(C): 1 THE STATE OF KERALA, REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE SPECIAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001.

3 THE DIRECTOR OF COLLEGIATE EDUCATION, THIRUVANANTHAPURAM-695001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, KOLLAM, PIN-691001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 25 :: RESPONDENTS/PETITIONERS IN W.P.(C): 1 VARGHESE ABRAHAM, S/O. P.V. ABRAHAM, PUTHENPARAMBIL, BNRA-30, BENEDICT NAGAR, NALANCHIRA P.O., THIRUVANANTHAPURAM, 695 015, (RETIRED ASSOCIATE PROFESSOR IN MATHEMATICS, MAR IVANIOS COLLEGE, THIRUVANANTHAPURAM.

2 GEORGE PAUL, S/O.J.PAUL, BATHEL HOUSE NO.168, JAWAHAR NAGAR, PATTATHANAM, KOLLAM, (RETIRED ASSOCIATE PROFESSOR OF CHEMISTRY, FATIMA MATHA COLLEGE, KOLLAM). 3 JOHNSON PIUS, S/O.PIUS LOURDES, AMMAN NAGAR 126A, PATTATHANAM.P.O., KOLLAM 691 021 (RETIRED ASSOCIATE PROFESSOR OF ZOOLOGY, FATHIMA MATHA COLLEGE, KOLLAM) 4 ALEXANDER V. GEORGE, S/O.REV.FR.GEORGE ZACHARIAH,

VADAKKETHAKKACKAL, THAZHAKARA.P.O., MAVELIKKARA, ALAPPUZHA DISTRICT 690 102. (RETIRED AS PRINCIPAL FROM BASELIUS COLLEGE, KOTTAYAM). BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 26 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1119 OF 2021 AGAINST THE JUDGMENT DATED 14.7.2021 IN WP(C).NO.11703/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION OFFICE OF THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION OFFICE OF THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, HOSPITAL ROAD, ERNAKULAM, KOCHI-682 011. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 27 :: RESPONDENT/PETITIONER IN WPC: JOHNSON VARGHESE AGED 60 YEARS, S/O N.M. VARKEY, NEDUMPURATH, THODUPUZHA EAST P.O.IDUKKI DISTRICT-685

585, (RTD HEAD OF DEPARTMENT AND ASSOCIATE PROFESSOR IN COMMERCE, NIRMALA COLLEGE, MUVATTUPUZHA) BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 28 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1120 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN W.P(C).NO.26553/2020 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENT IN WPC: 1 STATE OF KERALA, REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001.

3 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, HOSPITAL ROAD, NEAR COLLEGE GROUND, KOCHI-682 011. 5 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, CROSS JUNCTION, KADAPPAKADA, KOLLAM-691 001.

6 THE STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. :: 29 :: BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENTS/PETITIONERS IN WPC: 1 SHINY K. JACOB,

W/O.K.V.SALIM, KATTACHIRAKUNNEL HOUSE, U.C.COLLEGE P.O., ALUVA-683 102 (RETIRED ASSOCIATE PROFESSOR IN STATISTICS, U.C.COLLEGE, ALUVA). 2 TESSY CHACKO.P., D/O.CHACKO.P.T., ERA-133, PAREL HOUSE, ELAMKULAM LANE, SREEKARYAM P.O., THIRUVANANTHAPURAM (RETIRED ASSOCIATE PROFESSOR IN PHYSICS, ST.XAVIERS COLLEGE, THUMBA). BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 30 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1121 OF 2021 AGAINST THE JUDGMENT DATED 14.07.2021 IN WP(C).NO.10288/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA, REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, ERNAKULAM HOSPITAL ROAD, KOCHI-682011. 5 STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 31 :: RESPONDENT/PETITIONER IN WPC:

DR.THOMAS VARGHESE, S/O. GEEVARGHESE K., AISWARYA, T.C.13/2195(II), PRABHALINE, NEAR MULAVANA JUNCTION, VANCHIYOOR P.O., THIRUVANANTHAPURAM-695035, (WORKING AS ASSOCIATE PROFESSOR IN PHYSICS, NEWMAN COLLEGE, THODUPUZHA). BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 32 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A NO.1124 OF 2021 AGAINST THE JUDGMENT DATED 14.07.2021 IN WP(C).NO.10128/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM - 695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION ERNAKULAM, HOSPITAL ROAD, KOCHI - 682 011. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 33 :: RESPONDENT/PETITIONER IN WPC: JOE JACOB AGED 56 YEARS, S/O.T.S.CHACKO, THUNDIAN PLACKAL, THODUPUZHA P.O., PIN - 685 584 (WORKING AS ASSOCIATE PROFESSOR IN PHYSICS, NEWMAN COLLEGE,

THODUPUZHA). BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 34 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1125 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.33401/2018 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REP. BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001, 2 THE SPECIAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001,

3 THE DIRECTOR OF COLLEGIATE EDUCATION THIRUVANANTHAPURAM 695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION VAYASKARAKUNNU, KOTTAYAM 686 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 35 :: RESPONDENT/PETITIONER IN WPC: DR.MATHEW K.S. AGED 58 YEARS, S/O.K.M.SAMUEL, SEMS, T.C.15/2808, LIC LANE -G, PATTOM, THIRUVANANTHAPURAM 695 004, (RETIRED ASSOCIATE PROFESSOR OF PHYSICS FROM MAR IVANIOS COLLEGE, THIRUVANANTHAPURAM). BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 36 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1128 OF 2021 AGAINST THE JUDGMENT DATED 28.6.2021 IN W.P(C).NO.9061/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001.

2 THE DIRECTOR OF COLLEGIATE EDUCATION THIRUVANANTHAPURAM-695001 3 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION NEAR MAHARAJAS COLLEGE, ERNAKULAM-682011. 4 THE ACCOUNTANT GENERAL (A & E) KERALA, THIRUVANANTHAPURAM-695001. 5 THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT FINANCE DEPARTMENT, GOVERNMENT OF KERALA, SECETARIAT, THIRUVANANTHAPURAM-695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 37 :: RESPONDENT/PETITIONER IN WPC: ANIAMMA MATHEW W/O.JOSEKUTTY J.OZHUKAYIL, ASSOCIATE PROFESSOR, (RETIRED), DEPARTMENT OF PHYSICS, ST. PETER'S COLLEGE, KOLENCHERY, ERNAKULAM, RESIDING AT OZHUKAYIL HOUSE, GOVERNMENT MODEL HIGH SCHOOL ROAD, MOOVATTUPUZHA, ERNAKULAM-686661. BY ADV.SRI.B.MOHANLAL THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 38 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH

AGRAHAYANA, 1943 W.A.NO.1132 OF 2021 AGAINST THE JUDGMENT DATED 14.7.2021 IN WP(C).NO.10277/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001.

3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION ERNAKULAM, HOSPITAL ROAD, KOCHI-682 011. 5 STATE OF KERALA REP.BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 39 :: RESPONDENT/PETITIONER IN WPC: PHILIP AUGUSTINE, AGED 56 YEARS, S/O AUGUSTHY P.P, PARATHINAL HOUSE, RAJEEV NAGAR, MUVATTUPUZHA-686 661, (RETD. ASSOCIATE PROFESSOR IN CHEMISTRY, NIRMALA COLLEGE, MUVATTUPUZHA). BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 40 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1133 OF 2021 AGAINST THE JUDGMENT DATED 9.7.2021 IN WP(C).NO.10291/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF

SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION ERNAKULAM, HOSPITAL ROAD, KOCHI-682 011. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 41 :: RESPONDENT/PETITIONER IN WPC: MRS.MINNY KURIEN W/O JOSEPH, EDATHIL HOUSE, TEMPLE ROAD, THODUPUZHA P.O.PIN-685 584 (RETIRED ASSOCIATE PROFESSOR IN CHEMISTRY, NEW MAN COLLEGE, THODUPUZHA) BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 42 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1135 OF 2021 AGAINST THE JUDGMENT DATED 14.7.2021 IN WP(C).NO.11697/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA, REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3

THE DIRECTOR OF COLLEGIATE EDUCATION, OFFICE OF THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, OFFICE OF THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, VYSAKARA KUNNU, KOTTAYAM-686 001. 5 STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 43 :: RESPONDENT/PETITIONER IN WPC:

ANTONY GEORGE.P., AGED 59 YEARS, S/O.E.J.ANTONY, KALLUMPURATH KOTTARATHIL, PUTHIYAKAVU, MAVELIKARA P.O., ALAPPUZHA DISTRICT, PIN-690 101, (RETD. HEAD OF DEPARTMENT AND ASSOCIATE PROFESSOR IN COMMERCE, ST.THOMAS COLLEGE, KOZHENCHERY). BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 44 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1137 OF 2021 AGAINST THE JUDGMENT DATED 08.04.2021 IN WP(C).NO.8341/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA, REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001 2 THE SPECIAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION

DEPARATMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001

3 THE DIRECTOR OF COLLEGIATE EDUCATION, THIRUVANANTHAPURAM-695 001 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, VAYASKARAKUNNU, KOTTAYAM-686 001. 5 STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 45 :: RESPONDENTS/PETITIONERS IN WPC:

1 DR. BENNY K.A., AGED 58 YEARS S/O.K.K. ANTONY, KOONAMPARAYIL, KARIKODE, THODUPUZHA EAST P.O, PIN-685 585, (RETIRED ASSOCIATE PROFESSOR IN HISTORY FROM NEW MAN COLLEGE, THODUPUZHA). 2 K.P BENNY KALAPURACKAL HOUSE, THODUPUZHA EAST P.O, MUTHALIAR MADOM, PIN-685 585 (RETIRED ASSOCIATE PROFESSOR IN COMMERCE FROM NEWMAN COLLEGE, THODUPUZHA). 3 JOSE MATHEW, ANITHOTTATHIL, THODUPUZHA EAST P.O, PIN-685 585 (RETIRED ASSOCIATE PROFESSOR IN CHEMISTRY, NEWMAN COLLEGE, THODUPUZHA). BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 46 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1138 OF 2021 AGAINST THE JUDGMENT 12.07.2021 IN WP(C).NO.8690/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN W.P.(C):

1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THRIUVANANTHAPURAM-695 001 3 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, ERNAKULAM, HOSPITAL ROAD, KOCHI-682 011 5 STATE OF KERALA REPRESENTED BY CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 47 :: RESPONDENT/PETITIONER IN WPC: LISSI S. PLATHOTTAM AGED 62 YEARS, ELLIKAMURI, ADOOPARAMBU, MOOVATTUPUZHA-686 661, (RTD.ASSOCIATE PROFESSOR) BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 48 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1139 OF 2021 AGAINST THE JUDGMENT 18.03.2021 IN WP(C).NO.24121/2019 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN W.P.(C): 1 STATE OF KERALA, REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE SPECIAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT,

SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, KOTTAYAM-686 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 49 :: RESPONDENT/PETITIONER IN W.P(C): DR.SELINAMMA JOSEPH, AGED 57 YEARS, ASSOCIATE PROFESSOR (RETIRED), BCM COLLEGE, KOTTAYAM, NOW RESIDING AT KAVANAL HOUSE, KOCHUPARAMBIL JOE BHAVAN, HALU KURIAN ROAD, MUTTAMBALAM P.O., KANJIKUZHY, KOTTAYAM-686 004. BY ADV.SRI.K.M.KURIAN THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 50 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1142 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.10302/2018 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1 - 5 IN WPC: 1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695001. 2 THE SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM - 695001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION DIRECTORATE OF COLLEGIATE

EDUCATION, THRISSUR - 680001,

5 THE ACCOUNTANT GENERAL (A & E) KERALA, THIRUVANANTHAPURAM - 695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 51 :: RESPONDENTS/PETITIONERS IN WPC & RESPONDENT 6 IN WPC:

1 DR.BALU KUZHIVELIL ASSOCIATE PROFESSOR (RTD), CHRIST COLLEGE, IRINJALAKKUDA , RESIDING AT KUZHIVELIL HOUSE, DON BOSCO SCHOOL ROAD, IRINJALAKKUDA, THRISSUR - 680121. 2 SMT.LILLY T.I. ASSOCIATE PROFESSOR (RTD), ST. JOSEPH'S COLLEGE, IRINJALAKKUDA, MUTTIKKAL HOUSE, SAKTHI NAGAR, IRINJALAKKUDA, NORTH P.O, PIN - 680125. 3 DR. P.T. SEBASTIAN. ASSOCIATE PROFESSOR (RTD), NEHRU ART & SCIENCE COLLEGE, KANHANGAD, RESIDING AT PADAVIL HOUSE, PALLIKKARA, NILESHWAR P.O, KASARAGOD DISTRICT, PIN - 671314, 4 CALICUT UNIVERSITY REPRESENTED BY THE REGISTRAR, THENHIPALAM, CALICUT UNIVERSITY P.O, 673635. BY ADV.SRI.SIJI ANTONY BY ADV.SRI.M.S.RADHAKRISHNAN NAIR BY ADV.SRI.P.C.SASIDHARAN, SC, CALICUT UNIVERSITY THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 52 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1157 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN W.P(C).NO.34244/2018 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN W.P.(C): 1 STATE OF KERALA REP. BY THE ADDITIONAL CHIEF SECRETARY

TO GOVERNMENT, FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN-695 001. 2 THE SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKASBHAVAN, THIRUVANANTHAPURAM, PIN-695 001. 4 THE ACCOUNTANT GENERAL (A AND E) KERALA, THIRUVANANTHAPURAM-695 001. 5 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION DIRECTORATE OF COLLEGIATE EDUCATION, KOTTAYAM-686 601. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 53 :: RESPONDENTS/PETITIONERS IN W.P.(C): 1 MOHANARAJ P.K. PRINCIPAL (RETIRED), S.A.S.S.N.D.P YOGAM COLLEGE, KONNI PATHANAMTHITTA, RESIDING AT SREELAKAM VALIYA PARAMBIL, VELLIYARA P.O.PATHANAMTHITTA DISTRICT, PIN-689 612.

2 CELINE JOSEPH, ASSOCIATE PROFESSOR (RETD) BISHOP KURIALACHERRY COLLEGE FOR WOMEN, AMALAGIRI (PO) KOTTAYAM DISTRICT-686 561, RESIDING AT THENNATTIL HOUSE, NAZARETH HILL P.O.KURAVILANGAD, KOTTAYAM DISTRICT-686 633. BY ADV.SRI.SIJI ANTONY THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 54 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1159 OF 2021 AGAINST THE JUDGMENT DATED 18.03.2021 IN WP(C).NO.6213/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1

STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION ERNAKULAM, HOSPITAL ROAD, KOCHI-682 011 5 STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 55 :: RESPONDENT/PETITIONER IN WPC: DR.MARTHAKUTTY JOSEPH AGED 59 YEARS, W/O VINCENT AORATHA, AORETHA HOUSE, AVOLI P.O.MUVATTUPUZHA-686 670. (RTD ASSOCIATE PROFESSOR IN CHEMISTRY FROM NIRMALA COLLEGE, MUVATTUPUZHA) BY ADV. SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 56 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1162 OF 2021 AGAINST THE JUDGMENT DATED 18.03.2021 IN WP(C).NO.23808/2020 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA, REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT HIGHER EDUCATION

DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION KOZHIKODE-673 001. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 57 :: RESPONDENT/PETITIONER IN WPC:

K.P.JAMALUDEEN AGED 58 YEARS, S/O. (LATE) K.P. KUNHI MOHAMMED, PUSHPAVANAM, COLLEGE STREET, MELE PATTAMBI P.O., PALAKKAD 679 306, (RETD. ASSOCIATE PROFESSOR IN ENLGISH FROM PSMO COLLEGE, THIRURANGADI). BY ADV. SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 58 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A NO.1170 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.31949/2019 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN W.P.(C): 1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 2 THE SPECIAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695001. 4 THE DEPUTY DIRECTOR OF

COLLEGIATE EDUCATION VAYASCKARA KUNNU, KOTTAYAM-686001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 59 :: RESPONDENT/PETITIONER IN W.P.(C): DR. ROSAMMA MATHEW AGED 56 YEARS, W/O.T.V.SONY, THUNDIYIL HOUSE, AMALAGIRI P.O., KOTTAYAM, (RETIRED ASSOCIATE PROFESSOR IN HISTORY, K.E.COLLEGE, MANNANAM). BY ADV. SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 60 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1171 OF 2021 AGAINST THE JUDGMENT DATED 7.4.2021 IN WP(C).NO.7975/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WP(C): 1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695 001.

2 THE DIRECTOR OF COLLEGIATE EDUCATION THIRUVANANTHAPURAM - 695 001. 3 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION VAYASKARAKUNNU, KOTTAYAM - 686 001. 4 ACCOUNTANT GENERAL (A AND E) KERALA, THIRUVANANTHAPURAM - 695 039. 5 THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 61 :: RESPONDENT/PETITIONER IN WP(C): LALY PAUL W/O.MAJO V.K.KURIAKOSE, ASSOCIATE PROFESSOR (RETIRED),

DEPARTMENT OF ZOOLOGY, NEWMANS COLLEGE, THODUPUZHA, ERNAKULAM RESIDING AT VICHATTU HOUSE, OPP CLUB, RIVER VIEW ROAD, THODUPUZHA. 685 584 BY ADV.SRI.M.S.RADHAKRISHNAN NAIR BY ADV.SRI.B.MOHANLAL THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 62 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1172 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.27519/2020 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC:

1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM - 695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION VAYASKARAKUNNU, KOTTAYAM - 686 001. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 63 :: RESPONDENT/PETITIONER IN WPC: AJITHKUMAR MANUEL AGED 59 YEARS, S/O.MANUEL, SANKEERTHANAM, TC 24/2069, PANAVILA JUNCTION, THYCADU, THIRUVANANTHAPURAM - 695 014 (RETIRED ASSOCIATE PROFESSOR IN ENGLISH), S.B.COLLEGE, CHANGANASSERY. BY

ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 64 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1186 OF 2021 AGAINST THE JUDGMENT 18.3.2021 IN WP(C).NO.21514/2019 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001. 2 THE PRINCIPAL SECRETARY HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, PALAYAM, THIRUVANANTHAPURAM, PIN - 695001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION DIRECTORATE OF COLLEGIATE EDUCATION, ERNAKULAM. 5 THE PRINCIPAL ACCOUNTANT GENERAL(A AND E) THIRUVANANTHAPURAM - 695001. 6 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695001. :: 65 :: BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENT/PETITIONER IN WPC: THRESSIAMMA MATHEW AGED 61 YEARS, W/O. ABRAHAM M.A, ASSOCIATE PROFESSOR (RETD), MAR IVANIOS COLLEGE, THIRUVANANTHAPURAM - 695015, RESIDING AT MYLADUMPARAYIL, MNRA B-94, PATHIRIPALLY, KUDAPPANAKKUNNU P.O, THIRUVANANTHAPURAM DISTRICT - 695043. BY

ADV.SMT.VINEETHA SUSAN THOMAS BY ADV. SRI.CHRISTY THOMAS THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 66 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1187 OF 2021 AGAINST THE JUDGMENT DATED 06.07.2021 IN WP(C).NO.12440/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN W.P.(C): 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT,SECRETARIAT, THIRUVANANTHAPURAM-695001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM DISTRICT-695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN,THIRUVANANTHAPURAM-695001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION OFFICE OF DEPUTY DIRECTOR OF COLLEGIATE EDUCATION,GROSS JUNCTION, KADAPAKADA, KOLLAM-691001. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT,THIRUVANANTHAPURAM-695001. :: 67 :: BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENT/PETITIONER IN W.P.(C):

MARY SUSAN W/O.JOSEPH, SION T.C.7/1060 PNRA 12, PRIYADARSANI JUNCTION, PRASANTH NAGAR, MEDICAL COLLEGE.P.O, THIRUVANANTHAPURAM-695011, (RETIRED

ASSOCIATE PROFESSOR IN ENGLISH FROM ST.XAVIERS COLLEGE, THUMBA, THIRUVANANTHAPURAM.). BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 68 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1195 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.39740/2018 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 2 THE SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 3 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001 4 THE ACCOUNTANT GENERAL (A & E) KERALA, THIRUVANANTHAPURAM-695 001 5 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, DIRECTORATE OF COLLEGIATE EDUCATION, ERNAKULAM-682 011 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 69 :: RESPONDENT/PETITIONER IN WPC: RANSAMMA JOSEPH V, AGED 56 YEARS, ASSOCIATE PROFESSOR (RETD), BHARATH MATHA COLLEGE, THRIKKAKARA, NOW RESIDING AT CHITTUPARMABIL HOUSE, PONNURUNNI, VYTTILA, ERNAKULAM-682 019 BY ADV.SRI.SIJI ANTONY THIS WRIT APPEAL HAVING COME UP FOR

ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 70 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1198 OF 2021 AGAINST THE JUDGMENT DATED 28.06.2021 IN WP(C).NO.9632/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC (1 TO 4): 1 STATE OF KERALA REP.BY SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001. 2 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM 695 033. 3 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION KOTTAYAM P.O., KOTTAYAM. 686 001 4 THE ACCOUNTANT GENERAL (A & E) KERALA, THIRUVANANTHAPURAM - 695 039. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 71 :: RESPONDENT/PETITIONER IN WPC: ROSAMMA THOMAS AGED 61 YEARS, W/O. C. J. JOSE, ASSOCIATE PROFESSOR (RETIRED), BOTANY DEPARTMENT, DEVAMATHA COLLEGE, KURAVILANGAD, KOTTAYAM, RESIDING AT CHERUVATTIL HOUSE, THELLAKOM P.O., KOTTAYAM 686 630. BY ADV.SRI.B.MOHANLAL THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 72 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1199 OF 2021 AGAINST THE JUDGMENT DATED 9.8.2021 IN WP(C).NO.22970/2013 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1 TO 4 IN WPC: 1 STATE OF KERALA REP.BY ITS SECRETARY, DEPT. OF HIGHER EDUCATION, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM - 695001. 3 THE ACCOUNTANT GENERAL (A&E) KERALA, THIRUVANANTHAPURAM - 695 001. 4 THE ZONAL DEPUTY DIRECTOR OF COLLEGIATE EDUCATION DIRECTOR OF COLLEGIATE EDUCATION, KOTTAYAM - 686 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENTS/PETITIONER AND 5TH AND 6TH RESPONDENTS IN WPC: 1 MARIA GORETTI AGED 60 YEARS, W/O.JOY KURIAN, KIZHAKKETHOTTAM VEEDU, KURISHMMOODU P.O., CHANGANACHERRY, KOTTAYAM DISTRICT -

:: 73 :: 2 THE PRINCIPAL ASSUMPTION COLLEGE, CHANGANACHERRY - 686 001. 3 THE PRINCIPAL ST.DOMINIC'S COLLEGE, PARATHODU P.O., KANJIRAPPALLY - 686 511. BY ADV.SRI.S.HARIKRISHNAN THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 74 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1200 OF 2021 AGAINST THE

JUDGMENT DATED 18.03.2021 IN WP(C).NO.27081/2020 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION CROSS JUNCTION, KADAPPAKADA, KOLLAM-691001. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 75 :: RESPONDENT/PETITIONER IN WPC: DR. RAJAN IDICULA AGED 60 YEARS, S/O. Y. IDIKULA, MELUTTU, KIZHAKKATHERUVU P.O., KOTTARAKKARA, KOLLAM-691531. (RETIRED ASSOCIATE PROFESSOR OF BOTANY FROM ST. STEPHEN'S COLLEGE, PATHANAPURAM). BY ADV SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 76 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A NO.1201 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.6657/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF

SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001 2 THE PRINCIPAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION ERNAKULAM, HOSPITAL ROAD, KOCHI-682 011. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 77 :: RESPONDENT/PETITIONER IN WPC: DR. AMSTRONG SEBASTIAN AGED 56 YEARS,S/O. K.S. SEBASTIAN, 275, KIZHAKKEL, KHANNA NAGAR P.O., KORATTY, CHALAKUDY-680 309 (WORKING AS ASSOCIATE PROFESSOR IN ENGLISH, NIRMALA COLLEGE, MUVATTUPUZHA) BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 78 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1211 OF 2021 AGAINST THE JUDGMENT DATED 14.07.2021 IN WP(C).NO.10165/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA, REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION

DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001 3 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, ERNAKULAM, HOSPITAL ROAD, KOCHI-682 011. 5 STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 79 :: RESPONDENTS/PETITIONERS IN WPC: 1 PHILIP K.A, AGED 58 YEARS S/O. K.O. AUGUSTHY, KOZHIMALA HOUSE, NEAR HOUSING BOARD, MUVATTUPUZHA-686661 (RETIRED ASSOCIATE PROFESSOR IN PHYSICS FROM NEWMAN COLLEGE, THODUPUZHA). 2 BABY MATHEW, MATTAPPILLIL HOUSE, KARIMANOOR P.O, THODUPUZHA (RETIRED ASSOCIATE PROFESSOR IN PHYSICS FROM NEWMAN COLLEGE, THODUPUZHA)-685 581 3 MARYKUTTY JOHN, EDAVAZHICKAL HOUSE, MEMADANGU P.O, MUVATTUPUZHA-686 672 (RETIRED ASSOCIATE PROFESSOR IN PHYSICS NEWMAN COLLEGE, THODUPUZHA) BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 80 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1212 OF 2021 AGAINST THE JUDGMENT DATED 18.03.2021 IN WP(C).NO.34150/2018 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN W.P.(C): 1 STATE OF KERALA, REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT,

GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 2 THE SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 3 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHPAURAM-695 001. 4 THE ACCOUNTANT GENERAL (A AND E), KERALA, THIRUVANANTHAPURAM-695 001 5 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, DIRECTORATE OF COLLEGIATE EDUCATION, THRISSUR-680 001 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 81 :: RESPONDENT/PETITIONER IN W.P.(C): USMAN VENGASSERI, AGED 56 YEARS, ASSOCIATE PROFESSOR (RTD), M.E.S,KALLAI COLLEGE, MANNARKKAD NOW RESIDING AT VENGASSEREES, KODATHIPPADI P.O, MANNARKKAD, PALAKKAD-678 582 BY ADV.SRI.SIJI ANTONY THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 82 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1213 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.31509/2019 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN W.P.(C): 1 STATE OF KERALA, REP. BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN-695001. 2 THE SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT,

THIRUVANANTHAPURAM, PIN-695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM, PIN-695001. 4 THE ACCOUNTANT GENERAL (A & E), KERALA, THIRUVANANTHAPURAM, PIN-695001. 5 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION DIRECTORATE OF COLLEGIATE EDUCATION, KOTTAYAM, PIN-686001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 83 :: RESPONDENT/PETITIONER IN W.P.(C): DR. S.V. PREDEEP, AGED 56 YEARS ASSOCIATE PROFESSOR (RTD), S.V.R.S.S.S. COLLEGE, VAZHOOR, NOW RESIDING AT CHENGERATH KRISHNASREE, KUMARANALLOOR P.O., KOTTAYAM, PIN-686016. BY ADV.SRI.SIJI ANTONY THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 84 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1222 OF 2021 AGAINST THE JUDGMENT DATED 28.6.2021 IN WP(C).NO.9243/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001

2 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM 695 033 3 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM 695 033 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION NEAR MAHARAJAS COLLEGE,

ERNAKULAM 682 011 5 THE ACCOUNTANT GENERAL (A AND E) KERALA THIRUVANANTHAPURAM 695 039 6 THE ADDITIONAL CHIEF SECRET TO GOVERNMENTARY FINANCE DEPARTMENT, GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM 695 001 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 85 :: RESPONDENT/PETITIONER IN WPC: PHILOMINA T.V AGED 64 YEARS, W/O. JOHN GEORGE, ASSOCIATE PROFESSOR (RETIRED), DEPARTMENT OF BOTANY, NIRMALA COLLEGE, MOOVATTUPUZHA, ERNAKULAM, RESIDING AT KURIAS HOUSE, ANICADU, AVOLY P.O, MOOVATTUPUZHA, ERNAKULAM 686 670 BY ADV SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 86 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1230 OF 2021 AGAINST THE JUDGMENT DATED 18.03.2021 IN WP(C).NO.24113/2019 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001 2 THE SPECIAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001

3 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM - 695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, KOTTAYAM 686 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY

SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 87 :: RESPONDENT/PETITIONER IN WPC: SUSY PHILIP.N AGED 57 YEARS, ASSOCIATE PROFESSOR (RETIRED), BCM COLLEGE, KOTTAYAM, NOW RESIDING AT KUNNACHERRIYIL HOUSE, S.H.MOUNT P.O., KOTTAYAM 686 006. BY ADV.SRI.K.M.KURIAN THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 88 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A NO.1237 OF 2021 AGAINST THE JUDGMENT DATED 9.7.2021 IN WP(C).NO.11432/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1 TO 5 IN WPC: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001 2 PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001

3 DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM 695 001 4 DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, ERNAKULAM. 5 ACCOUNTANT GENERAL OFFICE OF THE ACCOUNTANT GENERAL (A & E), THIRUVANANTHAPURAM 695 039 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 89 :: RESPONDENTS/PETITIONER & 6TH RESPONDENT IN WPC: 1 MERCYAMMA JACOB KARIKUNNEL HOUSE, MUVATTUPUZHA P.O, ERNAKULAM 686 661

2 CORPORATE EDUCATIONAL AGENCY REPRESENTED BY ITS MANAGER, DIOCESE OF KOTHAMANGALAM (NIRMALA COLLEGE, MUVATTUPUZHA, NEWMAN COLLEGE, THODUPUZHA) BISHOPS HOUSE, KOTHAMANGALAM 686 039. BY ADV.SRI.BABY ISSAC ILLICKAL BY ADV.SRI.ISAAC KURUVILLA ILLIKAL THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 90 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1245 OF 2021 AGAINST THE JUDGMENT DATED 18.03.2021 IN WP(C).NO.960/2020 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695001. 2 THE SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM - 695001. 4 THE ACCOUNTANT GENERAL (A & E), KERALA THIRUVANANTHAPURAM - 695001. 5 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION DIRECTORATE OF COLLEGIATE EDUCATION, KOTTAYAM, PIN - 686001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 91 :: RESPONDENT/PETITIONER IN WPC: A. JOSE, AGED 57 YEARS, ASSOCIATE PROFESSOR (RTD), KURIAKOSE ELIAS COLLEGE, MANNANAM, RESIDING AT AREEKATTIL, ATHIRAMPUZHA,

KOTTAYAM DISTRICT - 686562. BY ADV. SRI.SIJI ANTONY THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 92 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1247 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.24987/2019 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE SPECIAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION VAYASKARAKUNNU, KOTTAYAM-686 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 93 :: RESPONDENT/PETITIONER IN WPC: PHILIPSON C PHILIP S/O. K.P. HILIP, CHILAMPATH HOUSE, THELLAKOM, P.O., KOTTAYAM 686 630 (RETIRED ASSOCIATE PROFESSOR OF PHYSICS, ST. STEPHENS COLLEGE, UZHAVOOR. BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 94 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1255 OF 2021 AGAINST THE JUDGMENT DATED 14.7.2021 IN WP(C).NO.9596/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1 TO 5 AND 7TH RESPONDENT IN WPC: 1 STATE OF KERALA, REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001.

2 THE SECRETARY TO GOVERMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE ACCOUNTANT GENERAL (A & E), KERALA, THIRUVANANTHAPURAM-695 001. 5 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, DIRECTORATE OF COLLEGIATE EDUCATION, KOTTAYAM-686 601. 6 STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. :: 95 :: BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENT/PETITIONER AND 6TH RESPONDENT IN WPC: 1 V.I.CHACKO, AGED 60 YEARS ASSOCIATE PROFESSOR (RTD.),DEPARTMENT OF COMMERCE, ST.THOMAS COLLEGE, RANNI, PATHANAMTHITTA DISTRICT, RESIDING AT MALEL VALIAPARAMBIL, MUNDUPUZHA, RANNI P.O., PATHANAMTHITTA DISTRICT-689 672. 2 MAHATMA GANDHI UNIVERSITY, PRIYADARSHINI HILLS, ATHIRAMPUZHA P.O., KOTTAYAM-686 560, REPRESENTED BY ITS REGISTRAR. BY SRI.SURIN GEORGE IPE, SC, MG UNIVERSITY BY ADV.SRI.SIJI ANTONY THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 96 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1257 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.13925/2018 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1 TO 4 IN WPC: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT, DEPARTMENT OF FINANCE, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM- 695001. 2 SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 3 DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695001. 4 ACCOUNTANT GENERAL (A&E), KERALA, THIRUVANANTHAPURAM-695039. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 97 :: RESPONDENTS/PETITIONER & 5TH RESPONDENT IN WPC:

1 DR. E.RADHAKUMARI AGED 60 YEARS W/O. MADHUSOODANA KURUP, RETIRED ASSOCIATE PROFESSOR, SREESANKARA COLLEGE, KALADY, RESIDING AT 'RAGENDU', MATTOOR, KALADY P.O., PIN-683574. 2 THE PRINCIPAL, SREE SANKARA COLLEGE, KALADY, PIN-683574. BY ADV.SRI.M.M.MONAYE THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 98 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH

AGRAHAYANA, 1943 W.A.NO.1260 OF 2021 AGAINST THE JUDGMENT DATED 8.4.2021 IN WP(C).NO.23330/2020 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN W.P.(C): 1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001 2 THE PRINCIPAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM 695 001 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION KOZHIKODE 673 001 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 99 :: RESPONDENT/PETITIONER IN W.P.(C):

DR. ABDUL HAMEED AYAPPALI AGED 58 YEARS, S/O. BHAVA ALIAS MOIDEENKUTTY A.K, MELETHIL HOUSE KANMANAM P.O, MALAPPURAM DISTRICT, 676 551 (RETIRED PRINCIPAL, NUSRATHUL ISLAM ARABIC COLLEGE, KADAVATHUR, KANNUR DISTRICT) BY ADV SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 100 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1261 OF 2021 AGAINST THE JUDGMENT DATED 14.7.2021 IN WP(C).NO.10508/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1

STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM- 695001. 2 THE PRINCIPAL SECRETARY TO TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION VYSAKARA KUNNU, KOTTAYAM-686001. 5 THE STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 101 :: RESPONDENT/PETITIONER IN WPC: VARGHESE P.G. AGED 60 YEARS S/O.K.G.PHILOPOSE, POIKAYIL,NEETHI NAGAR, 32A, PATTATHANAM.P.O, KOLLAM.(RETIRED ASSOCIATE PROFESSOR IN MATHEMATICS, MARTHOMA COLLEGE, THIRUVALLA)-691021. BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 102 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1269 OF 2021 AGAINST THE JUDGMENT DATED 18.03.2021 IN WP(C).NO.1235/2020 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT,

SECRETARIAT, THIRUVANANTHAPURAM-695 001 2 THESEPCIAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001

3 THE DIRECTOR OF COLLEGIATE EDUCATION, THIRUVANANTHAPURAM-695 001 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, VAYASKARAKUNNU, KOTTAYAM-686 001 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 103 :: RESPONDENT/PETITIONER IN WPC: DR.MARYKUTTY AGED 60 YEARS W/O. D.E.J.MATHEW, ETTOLIL, VAZHAPPALLY, CHANGANACHERY (RETIRED ASSOCIATE PROFESSOR OF CHEMISTRY FROM ASSUMPTION COLLEGE, CHANGANACHERRY) BY ADV SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 104 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A NO.1272 OF 2021 AGAINST THE JUDGMENT DATED 9.7.2021 IN WP(C).NO.11436/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1 TO 5 IN WPC: 1 STATE OF KERALA REPRESENTED BY CHIEF SECRETARY TO GOVERNMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001.

3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF

COLLEGIATE EDUCATION ERNAKULAM, HOSPITAL ROAD, KOCHI-682 011. 5 ACCOUNTANT GENERAL, OFFICE OF THE ACCOUNTANT GENERAL (A& E), THIRUVANANTHAPURAM-695 039. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 105 :: RESPONDENTS/PETITIONER & 6TH RESPONDENT IN WPC: 1 JOSE KARIKUNNEL AGED 58 YEARS KARIKUNNEL HOUSE, MUVATTUPUZHA P.O.ERNAKULAM-686 661.

2 CORPORATE EDUCATIONAL AGENCY REP BY ITS MANAGER DIOCESE OF KOTHAMANGALAM (NIRMALA COLLEGE, MUVATTUPUZHA, NEWMAN COLLEGE, THODUPUZHA) BISHOPS HOUSE, KOTHAMANGALAM-686 691 BY ADV.SRI.BABY ISSAC ILLICKAL BY ADV.SRI.ISAAC KURUVILLA ILLIKAL THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 106 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A NO.1278 OF 2021 AGAINST THE JUDGMENT DATED 28.6.2021 IN WP(C).NO.9321/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA, REPRESENTED BY SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001.

2 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 033. 3 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, NEAR MAHARAJAS COLLEGE, ERNAKULAM-682 011. 4 THE ACCOUNTANT GENERAL (A & E),

KERALA, THIRUVANANTHAPURAM-695 039.

5 THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 107 :: RESPONDENT/PETITIONER IN WPC: MARY K.P., W/O.JOSE ABRAHAM, ASSOCIATE PROFESSOR (RETIRED), ENGLISH DEPARTMENT, MAR ATHANASIOUS COLLEGE, KOTHAMANGALAM, RESIDING AT KATTARUKUDIYIL HOUSE, ALLAPRA P.O., PERUMBAVOOR, ERNAKULAM-683 556. BY ADV.SRI.M.S.RADHAKRISHNAN NAIR BY ADV.SRI.B.MOHANLAL THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 108 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1279 OF 2021 AGAINST THE JUDGMENT DATED 14.7.2021 IN WP(C).NO.11590/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA, REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001 2 THE SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 3 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001 4 THE ACCOUNTANT GENERAL (A & E), KERALA, THIRUVANANTHAPURAM 5 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, DIRECTORATE OF

COLLEGIATE EDUCATION, KOTTAYAM - 686 601 6 STATE OF KERALA, REPRESENTED BY CHIEF SECRETARY TO GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 109 :: RESPONDENT/PETITIONER IN WPC:

DR. SHAJI K. AGED 59 YEARS H.O.D. AND ASSOCIATE PROFESSOR (RTD), DEPARTMENT OF POLITICS, ST.GREGORIES COLLEGE, KOTTARAKKARA P.O., NOW RESIDING AT KUZHIYATHU VEEDU, KARAVALUR P.O., PUNALUR, KOLLAM DT, PIN-691 333 BY ADV.SRI.SIJI ANTONY THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 110 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1280 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.33502/2018 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 2 PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THRIUVANANTHAPURAM-695 001

3 DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001 4 ACCOUNTANT GENERAL, OFFICE OF THE ACCOUNTANT GENERAL (A AND E) , THIRUVANANTHAPURAM-695 039 BY SRI.K.GOPALAKRISHNA

KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 111 :: RESPONDENT/PETITIONER IN WPC: DR.REGIMOL C. CHERIAN, AGED 56 YEARS, ALANCHERIL NORTH OF BISHOPS PALACE, CHANGANACHERRY, KOTTAYAM-686 101 BY ADV.SRI.BABY ISSAC ILLICKAL THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 112 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1285 OF 2021 AGAINST THE JUDGMENT DATED 18.03.2021 IN WP(C).NO.29294/2018 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 2 THE SPECIAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THRIUVANANTHAPURAM-695 001

3 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, KOLLAM-691 001 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 113 :: RESPONDENTS/PETITIONERS IN WPC:

1 MURALI K., AGED 57 YEARS, ASSOCIATE PROFESSOR (RTD), T.K.M.M. COLLEGE NANGHAR KULANGARA, RESIDING AT VARIKOLIL, CHERAVALLY, KAYAMKULAM P.O., ALAPPUZHA - 690 502 2 SOMANATHAN PILLAI G, ASSOCIATE PROFESSOR (RTD),

MSM COLLEGE, KAYAMKULAM RESIDING AT PATTERETH LAKSHMI VIHAR, CHERAVALLY, KAYAMKULAM P.O., ALAPPUZHA - 690 502. 3 A.R.SOMANATHAN, ASSOCIATE PROFEFFOR (RTD), MSM COLLEGE, KAYAMKULAM, RESIDING AT PRANAVAM MANGARAM, PANDALAM, PATHANAMTHITTA - 689 501. BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 114 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1298 OF 2021 AGAINST THE JUDGMENT DATED 17.9.2021 IN WP(C).NO.14198/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1 TO 5 IN WPC: 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION OFFICE OF THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION OFFICE OF THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, GROSS JUNCTION, KADAPAKADA, KOLLAM-691 001. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 115 :: RESPONDENT/PETITIONER IN

WPC: DR.K.MOHANAKUMAR AGED 59 YEARS S/O. KUNJAN PILLAI, MUTTATHU HOUSE, THOTTUMUGHAM P.O., MYNAGAPPALLY, KOLLAM-690 519. (RETIRED PRINCIPAL, K.S.D.B. COLLEGE, SASTHAMCOTTA, KOLLAM). BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 116 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1300 OF 2021 AGAINST THE JUDGMENT DATED 7.4.2021 IN WP(C).NO.7949/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM

2 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 033 3 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, KOTTAYAM 4 THE ACCOUNTANT GENERAL (A & E), KERALA, THIRUVANANTHAPURAM-695 039 5 THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 117 :: RESPONDENT/PETITIONER IN WPC: AGNES CLARA K. VEEDON W/O. JOSE VARGHESE, ASSOCIATE PROFESSOR (RETIRED), ZOOLOGY DEPARTMENT, ST.GEORGES COLLEGE, ARUVITHARA, ERATTUPETTA, KOTTAYAM, RESIDING AT ANITHOTTATHIL, ARUVITHURA P.O., KOTTAYAM-686 122 BY ADV SRI.M.S.RADHAKRISHNAN NAIR THIS

WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 118 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1313 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.32979/2019 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1 TO 5 IN WPC: 1 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY GOVERNMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 PRINCIPAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.

3 DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 DEPUTY DIRECTOR OF COLLEGIATE EDUCATION KOTTAYAM. 5 ACCOUNTANT GENERAL OFFICE OF THE ACCOUNTANT GENERAL (A AND E), THIRUVANANTHAPURAM-695 039. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 119 :: RESPONDENTS/PETITIONER & 6TH RESPONDENT IN WPC: 1 PROF. K.C.ZACHARIAH KOYICKALETHU PUTHEN VEEDU, KUMBAZHA P.O., KUMBAZHA, PATHANAMTHITTA-689 653. 2 MANAGER ST.THOMAS COLLEGE, KOZHENCHERRY-689 641. BY ADV.SRI.BABY ISSAC ILLICKAL

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 120 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1316 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.16485/2020 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC:

1 STATE OF KERALA REP. BY PRINCIPAL SECRETARY, FINANCE DEPARTMENT, GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM 695 001 2 THE PRINCIPAL SECRETARY HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM 695 001 4 DEPUTY DIRECTOR OF COLLEGIATE EDUCATION OFFICE OF THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, KOTTAYAM, PIN 686 001 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 121 :: RESPONDENT/PETITIONER IN W.P.(C): DR. SABINA. C.A. D/O.ABRAHAM, RETIRED ASSOCIATE PROFESSOR OF BOTANY, BCM COLLEGE, KOTTAYAM, RESIDING AT 6C, SKYLINE RIVER VALLEY, COLLECTORATE P.O., KOTTAYAM 682 002 BY ADV.SRI.K.M.KURIAN THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 122 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH

AGRAHAYANA, 1943 W.A.NO.1329 OF 2021 AGAINST THE JUDGMENT DATED 18.03.2021 IN WP(C).NO.23416/2020 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN W.P.(C): 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION. THIRUVANANTHAPURAM - 695001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION KOZHIKODE - 673001. 5 STATE OF KERALA., REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 123 :: RESPONDENT/PETITIONER IN W.P.(C): HAMZA A.M.P S/O. ZUBAIR V.K (LATE), RHYTHM, NEAR ANDI COMPANY, THIRUVANGOOR P.O, KOZHIKODE DISTRICT, PIN - 673304, (RETIRED ASSOCIATE PROFESSOR OF PHYSICS FROM MES KEVEEYEM COLLEGE, VALANCHERRY). BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 124 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1331 OF 2021 AGAINST THE JUDGMENT DATED 18.03.2021 IN WP(C).NO.6804/2018 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY PRINCIPAL SECRETARY,

DEPARTMENT OF FINANCE,GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001. 2 PRINCIPAL SECRETARY HIGHER EDUCATION DEPARTMENT, GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.

3 DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM, PIN - 695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION DIRECTORATE OF COLLEGIATE EDUCATION, KOZHIKODE. 5 THE ACCOUNTANT GENERAL A E KERALA, THIRUVANANTHAPURAM, PIN - 695 001. 6 THE DIRECTOR OF HIGHER SECONDARY EDUCATION HOUSING BOARD BUILDING, THIRUVANANTHAPURAM. 7 REGIONAL DEPUTY DIRECTOR OF HIGHER SECONDARY EDUCATION KOZHIKODE - 673 001. :: 125 :: BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENTS/PETITIONER & RESPONDENTS 8 & 9 IN WPC:

1 ANNIE ANTONY AGED 56 YEARS W/O.AUGUSTINE, PAINADATH HOUSE, NEERIKKODU,ALANGAD P.O, ERNAKULAM DISTRICT, ASSISTANT PROFESSOR(RTD),PROVIDENCE WOMEN'S COLLEGE, KOZHIKODE. 2 CORPORATE MANAGER APOSTOLIC CARMEL EDUCATIONAL AGENCY, A.C PROVINCIAL HOUSE, MALAPPARAMBA, CALICUT, PIN - 673 009. 3 CALICUT UNIVERSITY CALICUT, REPRESENTED BY REGISTRAR - 673 001. BY ADV.SRI.BENOY THOMAS THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 126 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS

C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1338 OF 2021 AGAINST THE JUDGMENT DATED 8.7.2021 IN WP(C).NO.13093/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY SECRETARY TO THE GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001.

2 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695033. 3 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, NEAR MAHARAJAS COLLEGE, ERNAKULAM-682011. 4 THE ACCOUNTANT GENERAL (A&E), KERALA, THIRUVANANTHAPURAM-695001. 5 THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 127 :: RESPONDENT/PETITIONER IN WPC: BEENA SKARIAH AGED 61 YEARS W/O. THOMAS MATHEW, ASSOCIATE PROFESSOR (RETIRED), COMMERCE DEPARTMENT, MAR ATHANASIOUS COLLEGE, KOTHAMANGALAM, RESIDING AT ARUVIPURATHU HOUSE, MANNOOR, KEEZHILLAM P.O., PERUMBAVOOR, ERNAKULAM-683541. BY ADV SRI.B.MOHANLAL THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 128 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1352 OF 2021 AGAINST THE JUDGMENT DATED 1.9.2021 IN WP(C).NO.17574/2021 OF HIGH

COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA, REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION OFFICE OF THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION OFFICE OF THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, ERNAKULAM, HOSPITAL ROAD, KOCHI-682 011. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 129 :: RESPONDENT/PETITIONER IN WPC: LATHADEVI.P.K., AGED 60 YEARS D/O. KESAVAN POTTI, PERIYAMANA, SWARGAN ROAD, DESOM P.O., ALUVA (RETIRED ASSOCIATE PROFESSOR IN PHYSICS, ST. XAVIER'S COLLEGE, ALUVA)-683 101. BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 130 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1353 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.24755/2019 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF

SECRETARY, FINANCE DEPARTMENT, GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE SPECIAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695 033. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION KOTTAYAM-686 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 131 :: RESPONDENT/PETITIONER IN WPC: SHEELA CHERIYAN K ASSOCIATE PROFESSOR (RETIRED), BCM COLLEGE, KOTTAYAM, NOW RESIDING AT EDAMPURATHU HOUSE, KARIMKUNNAM P.O., THODUPUZHA-685 586. BY ADV.SRI.K.M.KURIAN THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 132 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1362 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.15193/2020 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION KOZHIKODE-673001. BY

SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 133 :: RESPONDENT/PETITIONER IN WPC: DR.SHAIK MOHAMMED S/O.MOHAMMED SHA, ERAMBRACHALIL HOUSE, KEZHISSERI, KUZHIMANNA P.O., MALAPPURAM-673641, (RETIRED ASSOCIATE PROFESSOR IN ARABIC FROM M.U.A COLLEGE, PULICKAL). BY ADV SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 134 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1364 OF 2021 AGAINST THE JUDGMENT DATED 7.4.2021 IN WP(C).NO.8007/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695001.

2 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM - 695033. 3 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION. NEAR MAHARAJAS COLLEGE, ERNAKULAM - 682011. 4 THE ACCOUNTANT GENERAL GENERAL(A&E) KERALA, THIRUVANANTHAPURAM - 695001. 5 THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 135 :: RESPONDENT/PETITIONER IN WPC: MAJO V.KURIAKOSE AGED 61 YEARS S/O. V.J. KURIAKOSE,

ASSOCIATE PROFESSOR (RETIRED), DEPARTMENT OF CHEMISTRY, NIRMALA COLLEGE, MOOVATTUPUZHA, ERNAKULAM, RESIDING AT VICHATTU HOUSE, OPP CLUB, RIVER VIEW ROAD, THODUPUZHA P.O, IDUKKI - 685584. BY ADV SRI.M.S.RADHAKRISHNAN NAIR BY ADV.SRI.B.MOHANLAL THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 136 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1366 OF 2021 AGAINST THE JUDGMENT DATED 12.7.2021 IN WP(C).NO.9568/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1, 3, 4 & 5 IN WPC:

1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695001. 2 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM - 695001. 3 THE ACCOUNTANT GENERAL (A&E), KERALA THIRUVANANTHAPURAM - 695001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION. DIRECTORATE OF COLLEGIATE EDUCATION, ERNAKULAM - 682001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 137 :: RESPONDENTS/PETITIONER & 2ND RESPONDENT IN WPC:

1 ANNIE JOSE K ASSOCIATE PROFESSOR (RTD), DEPARTMENT OF ZOOLOGY, ST.MICHAEL'S COLLEGE, CHERTHALA, ALAPPUZHA DISTRICT, RESIDING AT KURISUNKAL HOUSE, ARTHUNKAL P.O,

CHERTHALA, ALAPPUZHA DISTRICT - 688530. 2 UNIVERSITY OF KERALA, SENATE HOUSE CAMPUS, PALAYAM, THIRUVANANTHAPURAM - 695034, REPRESENTED BY ITS REGISTRAR. BY ADV.SRI.SIJI ANTONY BY SRI.THOMAS ABRAHAM, SC, UNIVERSITY OF KERALA THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 138 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1369 OF 2021 AGAINST THE JUDGMENT DATED 3.9.2021 IN WP(C).NO.15822/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION ERNAKULAM HOSPITAL ROAD, KOCHI-682 011. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 139 :: RESPONDENT/PETITIONER IN WPC: KOCHURANI K.C AGED 61 YEARS W/O. GEORGE JOSEPH, EDAYAL HOUSE, MURICKASSERY, IDUKKI-685 604, (RETIRED ASSOCIATE PROFESSOR IN ZOOLOGY FROM NEW MAN COLLEGE

THODUPUZHA). BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 140 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1370 OF 2021 AGAINST THE JUDGMENT DATED 1.7.2021 IN WP(C).NO.9273/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1 TO 5 AND 7TH RESPONDENT IN WPC: 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001

2 THE SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM 695 001 4 ACCOUNTANT GENERAL, OFFICE OF THE ACCOUNTANT GENERAL (A AND E) THIRUVANANTHAPURAM 695 039 5 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION ERNAKULAM, HOSPITAL ROAD, KOCHI 682 011 6 STATE OF KERALA REPRESENTED BY CHIEF SECRETARY TO GOVERNMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001. :: 141 :: BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENTS/PETITIONERS & RESPONDENT NO.6 IN WPC: 1 DR. LALY MATHEW AGED 59 YEARS ASSOCIATE PROFESSOR (RTD), DEPARTMENT OF ENGLISH, BHARATA MATA COLLEGE, THRIKKAKARA, ERNAKULAM DISTRICT, RESIDING AT KURUMKULAM HOUSE, 137 KKRRA, K.K ROAD, CHEMBUMUKKU,

THRIKKAKARA, ERNAKULAM 682 021

2 PROF. GRACE JACOB ASSOCIATE PROFESSOR (RTD), DEPARTMENT OF ZOOLOGY, BHARATA MATA COLLEGE, THRIKKAKARA, PADAMUGAL , THRIKKAKARA, ERNAKULAM DISTRICT 682 021 3 MAHATMA GANDHI UNIVERSITY PRIYADARSHINI HILLS, ATHIRAMPUZHA (PO), KOTTAYAM, PIN 686 560 REPRESENTED BY ITS REGISTRAR. BY ADV.SRI.SIJI ANTONY BY SRI.SURIN GEORGE IPE, SC, MAHATMA GANDHI UNIVERSITY THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 142 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1380 OF 2021 AGAINST THE JUDGMENT DATED 5.10.2021 IN WP(C).NO.21150/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WP(C): 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION OFFICE OF THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION OFFICE OF THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, VYSKARAKUNNU, KOTTAYAM-680 001. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY

SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 143 :: RESPONDENT/PETITIONER IN WP(C): ABRAHAM K. SAMUEL S/O. E.SAMUEL, KOKKAPRAMBIL, PUTHENANGADI, KOTTAYAM (RETIRED ASSOCIATE PROFESSOR IN MATHEMATICS FROM CMS COLLEGE, KOTTAYAM)-686 001. BY ADV SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 144 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1385 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.15404/2020 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM - 695001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, KOZHIKODE - 673001. 5 STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 145 :: RESPONDENT/PETITIONER IN WPC: ISHACK POTHUMKADAN S/O. UNEEN P, POTHUMKADAN HOUSE, PULLENGODE, MALAPPURAM - 676525,(RETIRED ASSOCIATE PROFESSOR IN ARABIC FROM M.U.A COLLEGE PULIKAL) BY ADV SRI.M.S.RADHAKRISHNAN NAIR

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 146 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1390 OF 2021 AGAINST THE JUDGMENT DATED 27.7.2021 IN WP(C).NO.3211/2018 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION ERNAKULAM - 682011. 2 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695001. 3 STATE OF KERALA REP. BY ITS ADDL. CHIEF SECRETARY TO THE GOVERNMENT, HIGHER EDUCATION (F) DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 4 THE ACCOUNTANT GENERAL (A&E) INDIAN AUDIT & ACCOUNTS DEPARTMENT, OFFICE OF THE ACCOUNTANT GENERAL (A & E), THIRUVANANTHAPURAM-695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 147 :: RESPONDENT/PETITIONER IN WPC:

DR. P.V.SREENIVASAN AGED 56 YEARS S/O. P. K. VELAYUDHAN, ASSOCIATE PROFESSOR (RETD.), DEPARTMENT OF CHEMISTRY, U. C. COLLEGE, ALUVA-683102, RESIDING AT 'SANTHINIKETHAN', PERUMPILLY, ALANGAD P.O., ERNAKULAM, PIN - 683511. BY ADV SRI.M.S.RADHAKRISHNAN NAIR BY ADV.SRI.S.MUHAMMED HANEEFF THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 148 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1400 OF 2021 AGAINST THE JUDGMENT DATED 17.9.2021 IN WP(C).NO.19352/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WP(C): 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION OFFICE OF THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM - 695001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, KOTTAYAM OFFICE OF THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, VYSKARAKUNNU, KOTTAYAM - 686001. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 149 :: RESPONDENT/PETITIONER IN WP(C): DR.ALEX THANNIPPARA AGED 56 YEARS S/O. T.C. ALEXANDER, THANNIPPARA HOUSE, VELLAPPADU, PALA P.O., KOTTAYAM -686575, (RETIRED AS ASSOCIATE PROFESSOR IN STATISTICS, FROM ST. THOMAS COLLEGE, PALA) BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 150 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1410 OF 2021 AGAINST THE JUDGMENT DATED 8.9.2021 IN WP(C).NO.18290/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION OFFICE OF THE DIRECTOR OF COLLEGE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION OFFICE OF THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, ERNAKULAM, HJOSPITAL ROAD, KOCHI-682011. 5 STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT,THIRUVANANTHAPURAM-695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 151 :: RESPONDENT/PETITIONER IN WPC: DR. ROSE PHILO K.J W/O.ANDREW MARSHAL, ROSES, SUNSHINE VALLEY, CSEZ.PO, KAKKANADU-682037.(RTD. ASSOCIATE PROFESSOR IN CHEMISTRY, ST.PAUL'S COLLEGE, KALAMASSERY). BY ADV SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 152 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1429 OF 2021 AGAINST THE JUDGMENT DATED 30.7.2021 IN WP(C).NO.7613/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1 TO 4 IN WPC: 1 STATE OF KERALA REPRESENTED BY ITS SECRETARY TO THE GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 2 THE DIRECTOR OF COLLEGIATE EDUCATION 6TH FLOOR, VIKAS BHAVAN, VIKAS BHAVAN P.O., THIRUVANANTHAPURAM-695033. 3 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION VAYASKARAKUNNU, NEAR FIRE STATION, KOTTAYAM-686001. 4 THE ACCOUNTANT GENERAL (A & E), OFFICE OF THE PRINCIPAL ACCOUNTANT GENERAL (A & E), AUDIT BHAVAN, M.G.ROAD, THIRUVANANTHAPURAM-695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 153 :: RESPONDENTS/PETITIONER & 5TH RESPONDENT IN WPC:

1 P.G.PRASADKUMAR AGED 61 YEARS S/O.M.K.GOPALAKRISHNAN NAIR, ASSISTANT PROFESSOR (RETD.), DEPARTMENT OF PHYSICS, SVR NSS COLLEGE, VAZHOOR, KOTTAYAM, RESIDING AT PUSHPA VILASOM, PAZHAVANGADI P.O., RANNI, PATHANAMTHITTA-689573. 2 THE SECRETARY N.S.S COLLEGE CENTRAL COMMITTEE, PERUNNA, CHANGANASSRY, KOTTAYAM-686002. BY ADV.SRI.S.MUHAMMED HANEEFF THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 154 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1430 OF 2021 AGAINST THE JUDGMENT DATED 1.9.2021 IN WP(C).NO.17587/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA, REPRESENTED BY ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM -695001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION, OFFICE OF THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM - 695001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, OFFICE OF THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, VYSAKARAKUNNU, KOTTAYAM - 686001. 5 STATE OF KERALA. REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 155 :: RESPONDENT/PETITIONER IN WPC: DR.SUBHADRA DEVI P.K., AGED 58 YEARS, W/O. SATHEESH N., VISHNAV, KUTTAPUZHA P.O, PATHANAMTHITTA - 689103. BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 156 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/ 24TH

AGRAHAYANA, 1943 W.A.NO.1436 OF 2021 AGAINST THE JUDGMENT DATED 8.4.2021 IN WP(C).NO.18515/2016 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1 TO 3, 5 & 6 IN WPC: 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT,GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.

2 THE DIRECTOR OF GENERAL EDUCATIION VIKAS BHAVAN, PMG JUNCTION, THIRUVANANTHAPURAM-695033. 3 THE DEPUTY DIRECTOR OF COLLEGIAE EDUCATION KOTTAYAM-686011. 4 THE ACCOUNTANT GENERAL (A & E) OFFICE OF THE ACCOUNTANT GENERAL, THIRUVANANTHAPURAM- 695001.

5 THE PRINCIPAL SECRETARY FINANCE (PENSION) DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 157 :: RESPONDENTS/PETITIONER & RESPONDENTS 4, 7 & 8 IN WPC: 1 SHEELA JOHN AGED 58 YEARS W/O. MATHEW JOSEPH, RETIRED ASSOCIATE PROFESSOR, BCM COLLEGE,KOTTAYAM, RESIDING AT PLATHOTTAM HOUSE, SACRED HEART MOUNT P.O., KOTTAYAM-682006. 2 THE MAHATMA GANDHI UNIVERSITY REPRESENTED BY THE REGISTRAR, M.G.UNIVERSITY CAMPUS, PRIYADARSINI HILLS, KOTTAYAM-686560. 3 THE CORPORATE EDUCATIONAL AGENCY OF COLLEGES DIOCESE OF KOTTAYAM, THE CATHOLIC BISHOP'S HOUSE, KOTTAYAM-686001. 4 THE REGISTRAR UNIVERSITY OF KERALA, UNIVERSITY BUILDINGS, PALAYAM, THIRUVANANTHAPURAM-695034. BY ADV.SRI.BABU VARGHESE (SR) BY ADV.SRI.C.V.ALEXANDER THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 158 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1452 OF 2021 AGAINST THE JUDGMENT DATED 6.10.2021 IN WP(C).NO.21273/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC:

1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT,GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION OFFICE OF THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM - 695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION OFFICE OF THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, HOSPITAL ROAD, ERNAKULAM, KOCHI - 682 011. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001. :: 159 :: BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENT/PETITIONER IN WPC: SUNNY KURIAKOSE S/O.A.P.KURIAKOSE (LATE), ATHIRMPUZHAIL HOUSE, PMC (RETIRED PRINCIPAL, BASELIOS PAULOSE-II, CATHOLIC COLLEGE, PIRAVOM) BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 160 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1456 OF 2021 AGAINST THE JUDGMENT DATED 27.7.2021 IN WP(C).NO.408/2018 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 THE PRINCIPAL SECRETARY TO GOVERNMENT DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.

2 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695033. 3 THE ACCOUNTANT GENERAL (A & E), KERALA, THIRUVANANTHAPURAM-695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENT/PETITIONER IN WP(C): PHILIP VARUGHESE PORATTOOR RETIRED ASSOCIATE PROFESSOR, ST.THOMAS COLLEGE, KOZHENCHERRY, RESIDING AT PORATTOOR HOUSE, THEKKEMALA P.O., KOZHENCHERY, PATHANAMTHITTA-689654. BY ADV.SRI.A.K.ALEX THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 161 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1460 OF 2021 AGAINST THE JUDGMENT DATED 4.8.2021 IN WP(C).NO.17978/2020 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1 TO 6 IN WP.(C): 1 STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT,

GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN-695 001. 2 THE SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN-695 001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001 4 THE DEPUTY DIRECOTR OF COLLEGIATE EDUCATION, DIRECTOR OF COLLEGIATE EDUCATION, KOLLAM, PIN-680 001 5 THE ACCOUNTANT GENERAL (A & E) KERALA, THIRUVANANTHAPURAM-695 001 6 THE JOINT DIRECTOR, KERALA STATE AUDIT DEPARTMENT, CALICUT UNIVERSITY, CALICUT UNIVERSITY P.O.695 001 :: 162 :: BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENTS/PETITIONER & 7TH RESPONDENT IN WPC: 1 PROF. (DR).C.JAYAN AGED 64 YEARS PROFESSOR AND HEAD (RETD0 DEPARTMENT OF PSYCHOLOGY, UNIVERSITY OF CALICUT, UDAYAGIRI CHEMPAZHANTHY P.O.THIRUVANANTHAPURAM-695 587 2 CALICUT UNIVERSITY, REPRESENTED BY ITS REGISTRAR, THENJHIPALAM, CALICUT UNIVERSITY P.O. 673 635. BY ADV.SRI.SIJI ANTONY BY SRI.P.C.SASIDHARAN, SC, CALICUT UNIVERSITY THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 163 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1468 OF 2021 AGAINST THE JUDGMENT DATED 12.7.2021 IN WP(C).NO.10283/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1

STATE OF KERALA REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 2 THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 3 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, ERNAKULAM, HOSPITAL ROAD, KOCHI-682011. 5 STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 164 :: RESPONDENT/PETITIONER IN WPC: L.J.PARATHAZHAM AGED 61 YEARS S/O. P.A.JOSEPH, PARATHAZHAM, KARIMANOOR, THODUPUZHA (RETIRED ASSOCIATE PROFESSOR IN PHYSICS, NEWMAN COLLAGE, THODUPUZHA), 685581. BY ADV.SRI.M.S.RADHAKRISHNAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 165 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1469 OF 2021 AGAINST THE JUDGMENT DATED 18.3.2021 IN WP(C).NO.37448/2017 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1 TO 5 IN WPC: 1 STATE OF KERALA, REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 2 THE SECRETARY TO THE GOVERNMENT, HIGHER EDUCATION

DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001 3 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM-695 001. 4 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, DIRECTORATE OF COLLEGIATE EDUCATION, ERNAKULAM, PIN 682 001.

5 THE ACCOUNTANT GENERAL (A AND E), KERALA, THIRUVANANTHAPURAM-695 001 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 166 :: RESPONDENTS/PETITIONERS & 6TH RESPONDENT IN W.P.(C):

1 PROF.HARRY CLEETUS, PRINCIPAL (RTD), ST. ALBERT'S COLLEGE, ERNAKULAM, RESIDING AT 37/246, THOZHUTHINGAL LANE, ANJUMANA ROAD, MAMANGALAM P.O, ERNAKULAM-682 024 2 PROF. ALEXANDER MENDEZ, ASSOCIATE PROFESSOR (RTD), ST. ALBERT'S COLLEGE, ERNAKULAM, RESIDING AT VALIYAPARAMBIL HOUSE, TACHANATT LANE, N.K.S ROAD, PACHALAM, KOCHI 682 012. 3 PROF. GILROY ROZARIO ASSOCIATE PROFESSOR (RTD), ST. ALBERT'S COLLEGE, ERNAKULAM, RESIDING AT KRA 44, NAMBIAPARAMBU, KOMBARA, ERNAKULAM, PIN 682 018. 4 DR. LESLIE THOMAS, ASSOCIATE PROFESSOR (RTD), ST. ALBERT'S COLLEGE, ERNAKULAM, RESIDING AT PALM LANDS, PUTHIYAVEETTIL HOUSE, MALIPURAM, ERNAKULAM, PIN 682 511. 5 MAHATMA GANDHI UNIVERSITY, PRIYADARSINI HILLS, PRIYADARSINI HILLS P.O, KOTTAYAM DISTRICT, REPRESENTED BY ITS REGISTRAR. BY ADV.SRI.SIJI ANTONY BY SRI.SURIN GEORGE IPE, SC, M.G. UNIVERSITY THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 167 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1472 OF 2021 AGAINST THE JUDGMENT DATED 17.9.2021 IN WP(C).NO.16832/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WP(C): 1 STATE OF KERALA, REPRESENTED BY SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT , SECRETARIAT, THIRUVANANTHAPURAM 695 001. 2 THE DIRECTORATE OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM-695033. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENTS/PETITIONERS IN WP(C): 1 DR. JOBY THOMAS K AGED 56 YEARS S/O.K.O. THOMAS, ASSOCIATE PROFESSOR (RETIRED), DEPARTMENT OF CHEMISTRY, ST. THOMAS COLLEGE (AUTONOMOUS), THRISSUR RESIDING AT KAKKASSERY HOUSE, VELUKKARAN LANE, EAST FORT THRISSUR 680 005. 2 DR.BIJU JOHN M. S/O. JOHN M.J. ASSOCIATE PROFESSOR AND HEAD OF THE :: 168 :: DEPARTMENT, DEPARTMENT OF COMMERCE, ST. THOMAS COLLEGE (AUTONOMOUS), THRISSUR RESIDING AT MAILIT PAL THINGAL HOUSE, HARMONY STREET, LORDUPURAM, EAST FORT THRISSUR. 3 DR. MINI CHANDRAN C. W/O. PRASAD D, ASSOCIATE PROFESSOR AND HEALTH OF THE DEPARTMENT DEPARTMENT OF ZOOLOGY, KSMDB COLLEGE, SASTHAMCOTTA, KOLLAM, RESIDING AT MOHANAM, MANAKKARA, SHANKARA MANGALAM COMPOUND, SASTHAMKOTTA, KOLLAM. 4 DR.THRISINA M.ALAPAT W/O. DR. FRANCY KAKKASERRY, ASSOCIATE PROFESSOR, DEPARTMENT OF ENGLISH, MERCY COLLEGE, PALAKKAD. RESIDING AT A3, ALAKANANDA RESIDENCY, CHUNGAM P.O. AYYANTHOLE, THRISSUR. 5 MARIYAMA JOHN W/O. POWER JOSE

KONIKKARA, ASSOCIATE PROFESSOR, DEPARTMENT OF PHYSICS MERCY COLLEGE, PALAKKAD, RESIDING AT KONIKKARA HOUSE 27/766(20) SIRNIVASA GARDENS KALLIKKAD, PALAKKAD. 6 DR.BIJU.C.S. S/O. C.S. CHERIAN, ASSOCIATE PROFESSOR, DEPARTMENT OF ENGLISH AND COORDINATE DEPARTMENT OF MEDIA STUDIES ST. THOMAS, COLLEGE, THRISSUR, RESIDING AT CHEMPAKATHINAL HOUSE, YASORAM ROAD, CHRISTOPHER NAGAR, OLLUR, THRISSUR. BY ADV.SRI.ARUN.B.VARGHESE THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 169 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1478 OF 2021 AGAINST THE JUDGMENT DATED 9.8.2021 IN WP(C).NO.3487/2014 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001.

2 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION KOTTAYAM P.O., KOTTAYAM-686001. 3 THE ACCOUNTANT GENERAL (A & E), KERALA, STATUE, PALAYAM, P.O, THIRUVANANTHAPURAM-695039. 4 THE SUB TREASURY OFFICER, SUB TREASURY, MAVELIKKARA P.O., MAVELIKKARA, ALAPPUZHA DISTRICT-690101. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENT/PETITIONER IN WPC: DR. JAYASREE AMMA K W/O.M.R.NANDAKUMAR, ASSOCIATE PROFESSOR, (RETIRED), ECONOMICS DEPARTMENT, N.S.S HINDU COLLEGE,

CHANGANASSERY, RESIDING AT SREESYAM, KOTTARKAVU, MAVELIKKARA P.O., :: 170 :: ALAPPUZHA DISTRICT. BY ADV.SRI.B.MOHANLAL THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 171 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1497 OF 2021 AGAINST THE JUDGMENT DATED 17.9.2021 IN WP(C).NO.16409/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: STATE OF KERALA REPRESENTED BY PRINCIPAL SECRETARY, DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENTS/PETITIONERS IN WPC:

1 DR.THOMAS PAUL KATTOOKARAN AGED 57 YEARS S/O. KATTOOKARAN KURIA PAUL, ASSOCIATE PROFESSOR AND HEAD OF THE DEPARTMENT (RETIRED) RESEARCH DEPARTMENT OF COMMERCE, ST. THOMAS COLLEGE (AUTONOMOUS), THRISSUR, RESIDING AT NEW DROPS, KATTOOKARAN HOUSE, MANALIPADAM STREET, KURIACHIRA P.O, THRISSUR DISTRICT 680 006

2 THE DIRECTOR DIRECTORATE OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM 695 033 3 DR C.D VARGHESE S/O. C.R DEVASSY, ASSOCIATE PROFESSOR AND HEAD OF THE DEPARTMENT (RETIRED) RESEARCH DEPARTMENT

OF BOTANY, :: 172 :: ST. THOMAS COLLEGE (AUTONOMOUS), THRISSUR, RESIDING AT HOUSE NO. 79, HILL GARDENS, ARCHERY P.O, THRISSUR 680 006 4 GEETHA K.M D/O. N.J NAIR, ASSOCIATION PROFESSOR (RETIRED) DEPARTMENT OF CHEMISTRY, SRI KERALA VARMA COLLEGE, THRISSUR, RESIDING AT 133/D, MEENAKSHPURAM, CHITTILAPALLY P.O, THRISSUR 680 551 5 DR. JOJU K.T, S/O. K.A THOMAS, ASSOCIATE PROFESSOR (RETIRED), DEPARTMENT OF MATHEMATICS, PRAJYOTI NIKETAN COLLEGE, PUDUKAD, THRISSUR, RESIDING AT KOONAMMAVE HOUSE, ST. MARY'S CONVENT ROAD, OLLUR, THRISSUR 680 306 6 DR. KEZIA KURUVILA W/O. DR. JERRY EARALI, ASSOCIATE PROFESSOR (RETIRED), DEPARTMENT OF ZOOLOGY, VIMALA COLLEGE, THRISSUR, RESIDING AT 12/563, EARALIL HOUSE, ZENANA MISSION ROAD, THRISSUR 7 DR. LEEMA T.G

D/O. GEORGE T.P, ASSOCIATE PROFESSOR AND HEAD OF THE DEPARTMENT (RETIRED), DEPARTMENT OF COMMERCE, ST. ALOYSIUS COLLEGE, ELTHURUTH, THRISSUR, RESIDING AT MEKKATTUKULAM HOUSE, ELTHURUTH P.O, THRISSUR 680 611

8 LUCY PAUL W/O. PAUL M.J, ASSOCIATE PROFESSOR (RETIRED) DEPARTMENT OF CHEMISTRY, VIMALA COLLEGE, THRISSUR, RESIDING AT MOONJELY HOUSE, VYLOPPILLY NAGAR, NELLENKARA, JUVILEE MISSION P.O, THRISSUR 680 005 9 C.K PRASANNAN S/O. C.R KRISHNAN, ASSOCIATE PROFESSOR, (RETIRED) DEPARTMENT OF MALAYALAM, SRI KERALA VARMA CILLEGE, THRISSUR, RESIDING AT CHETTIAMPRARAMBIL HOUSE, KARUMATHARA P.O, KONATHUKUNNU, THRISSUR 680 123 10 P.V RAJASEKHARAN S/O. M.K KRISHNAN NAIR, ASSOCIATE PROFESSOR AND HEAD OF :: 173 :: THE DEPARTMENT (RETIRED), DEPARTMENT OF ECONOMICS, RESIDING AT APARNA, ERUMELY P.O, KOTTAYAM 686 509 11 SATHEESAN E.S S/O. SHIVASANKARAMENON N.K, ASSOCIATE PROFESSOR

(DEPARTMENT OF MALAYALAM, SRI KERALA VARMA COLLEGE, THRISSUR, RESIDING AT SARANG, MULLEPPILLY ROAD, EAST KADUNGALLUR, UC COLLEGE, ALUVA 683102RETIRED) 12 DR. VARGHESE PAUL K,

S/O. K. JOHN PAUL, ASSOCIATE PROFESSOR AND HEAD OF THE DEPARTMENT (RETIRED), DEPARTMENT OF PSYCHOLOGY, PRAJYOTHI NIKETAN COLLEGE, PUDUKKAD, THRISSUR RESIDING AT GRACE DALE, KUTTIYAL ROAD, KUTTIMUKKU, RAMAVARAMAPURAM, THRISSUR 680 631 13 DR. FRANCY K, KAKKASSERY S/O. K.J KUNHIP, ASSOCIATE PROFESSOR (RETIRED), DEPARTMENT OF ZOOLOGY, ST. THOMAS COLLEGE,(AUTONOMOUS), THRISSUR, RESIDING AT A3, ALAKANAND RESIDENCY, CHUNGAM P.O, AYYANTHOLE, THIRISSUR 680 003 14 DR K.C FRANCIS S/O. K.R CHERIA, ASSOCIATE PROFESSOR AND HEAD OF THE DEPARTMENT (RETIRED), DEPARTMENT OF ECONOMICS, ST. THOMAS COLLEGE (AUTONOMOUS), THRISSUR RESIDING AT KALLERY HOUSE, B-1, MEGHNA RESIDENCY KANNAMKULANGARA, KOORKENCHERRY, THRISSUR 680 007

15 DR. BENNY T.M S/O. MATHEW T.V, ASSOCIATE PROFESSOR 9RETIRED), P.G AND RESEARCH DEPARTMENT OF ZOOLOGY ST. JOSEPH'S COLLEGE (AUTONOMOUS) DEVAGIRI, CALICUT, THRISSUR RESIDING AT 16 DR. ANNIE SUSAN MATHEW D/O. MATHEW DANIEL, ASSOCIATE PROFESSOR (RETIRED) DEPARTMENT OF ENGLISH, MAR THOMA COLLEGE, THIRUVALLA, RESIDING AT WELUTHERIL HOUSE R.S P.O, THIRUVALLA, PATHANAMTHITTA DISTRICT, PIN 689 111 :: 174 :: 17 DR. G. KOSHY, S/O. GEORGE THOMAS, ASSOCIATE PROFESSOR (RETIRED) DEPARTMENT OF ENGLISH, MAT THOMAS COLLEGE, THIRUVALLA, RESIDING AT WELUTHERIL HOUSE, R.S P.O, THIRUVALLA, PATHANAMTHITTA DISTRICT 689 111 18 J.C KAPPAN

S/O. POTHEN JOSEPH, ASSOCIATE PROFESSOR (RETIRED) DEPARTMENT OF ENGLISH, ST. DOMINIC COLLEGE, KANJIRAPALLY, RESIDING AT THENAMAKKAL HOUSE, KUNNUMBHAGAM, KANJIRAPPILLY, KOTTAYAM 686 507 19 DR. SAJU JOSEPH S/O. JOSEPH K.J, ASSOCIATE PROFESSOR, (RETIRED), DEPARTMENT OF ENGLISH, ST. DOMINIC COLLEGE, KANJIRAPALLY, RESIDING AT KOCHUVEETTIL HOUSE, PARATHODU P.O, KANJIRAPPILLY, KOTTAYAM 20 MARYKUTTY JOSEPH W/O. PHILIP C. JOSEPH, ASSOCIATE PROFESSOR (RETIRED), DEPARTMENT OF PHYSICS,, S/O. DOMINIC COLLEGE, KANJIRAPALLY, RESIDING AT CHOLAMPUZHA HOUSE, KOZHUVANAL P.O, KOTTAYAM 686 573 21 DR. JOJO GEORGE S/O. A.J VARKEY, VICE PRINCIPAL AND HEAD OF THE DEPARTMENT (RETIRED) DEPARTMENT OF BOTANY, ST. DOMINIC COLLEGE, KANJIRAPALLY. RESIDING AT EARATHU HOUSE, THAMPALAKADU P.O, PONKUNNAM , KOTTAYAM 686 506 22 NIRMALA JOSEPH W/O. K.J JOY, ASSOCIATE PROFESSOR, (RETIRED) DEPARTMENT OF ZOOLOGY, ST. DOMINIC COLLEGE, KANJIRAPALLY, RESIDING AT PANACHINANI KURUVANMAKEL HOUSE, ANTHINAD P.O, KOTTAYAM 23 RITA MARY THOMAS P W/O. JAISON JOSEPH, ASSOCIATE PROFESSOR (RETIRED) DEPARTMENT OF PHYSICAL EDUCATION, MERCY COLLEGE, PALAKKAD, RESIDING AT THEKKINKATTIL HOUSE, AYODHYA NAGAR, PALLIPPURAM P.O, PALAKKAD 678 006 :: 175 :: 24 MARY SARA CHERIAN D/O. V.M CEHRIAN, ASSOCIATE PROFESSOR (RETIRED) DEPARTMENT OF CHEMISTRY, MAR THOMAS COLLEGE, THIRUVALLA, RESIDING AT CHERIPPERIL HOUSE, MANJADI P.O, THIRUVALLA 25 DR. VINCENT TERENCE REBELLO, S/O. NICHOLAS REBELLO, ASSOCIATE PROFESSOR AND DEAN (RETIRED), DEPARTMENT OF ENGLISH, ST. ALBERT COLLEGE, ERNAKULAM, RESIDING NIAL DALE, 35/161(TMC) N.G.O QIUARTERS WEST P.O, THRIKKAKARA 682 021 26 DR. GERORGE MATHEW S/O. M.J MATHEW, ASSOCIATE PROFESSOR (RETIRED) DEPARTMENT OF ZOOLOGY, ST.

JOSEPH'S COLLEGE (AUTONOMOUS), DEVAGIRI, CALICUT, RESIDING AT MATTATHIL HOUSE, BHAVANS ROAD, CHEVAYUR P.O, CALICUT 673 017 27 ABY THOMAS S/O. P.K THOMAS, ASSISTANT PROFESSOR (RETIRED), DEPARTMENT OF ECONOMICS, MAR THOMAS COLLEGE, THIRUVALLA, RESIDING AT PANDAKASALA, KAMPAMCODE, VAYAKKAL P.O, VALAKOM, KOLLAM DISTRICT 691 532 28 DR. A SHERSHAH S/O. AMANULLA,ASSOCIATE PROFESSOR (RETIRED) DEPARTMENT OF PHYSICAL EDUCATION, TKM COLLEGE OF ARTS AND SCIENCE, KOLLAM RESIDING AT HEMDALA, VATTAPALAMOODU, SREENIVASAPURAM P.O, VARKALA 695 145 29 DR. DAVIS ANTONY MUNDASERY S/O. ANTONY M.K, ASSOCIATE PROFESSOR AND HEAD OF DEPARTMENT OF STATISTICS (RETIRED) CHRISHT COLLEGE (AUTONOMOUS), IRINJALAKUDA, RESIDING AT MUNDASERY HOUSE, PALAKKAL, PALIASERY P.O, THRISSUR 680 027 BY ADV.SRI.ARUN B. VARGHESE THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 176 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1534 OF 2021 AGAINST THE JUDGMENT DATED 28.6.2021 IN WP(C).NO.12179/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1 TO 4 IN WPC: 1 STATE OF KERALA REPRESENTED BY SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 2 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN, THIRUVANANTHAPURAM- 695 033 3 THE DEPUTY DIRECTOR OF

COLLEGIATE EDUCATION, DEPUTY DIRECTORATE OF COLLEGIATE EDUCATION, ST. THOMAS SHOPPING COMPLEX, CROSS JUNCTION, KOLLAM DISTRICT - 691 001. 4 THE ACCOUNTANT GENERAL (A & E), KERALA, M.G. ROAD, THIRUVANANTHAPURAM - 695 039 BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENTS/PETITIONER & RESPONDENTS 5 & 6 IN WPC: 1 MARY ALICE G. AGED 59 YEARS, WIFE OF EDISON S., RETIRED ASSOCIATE PROFESSOR IN ECONOMICS, ALL SAINTS COLLEGE, THIRUVANANTHAPURAM - 695 007 (RESIDING AT VALIYAVEETTIL, :: 177 :: T.C. NO.30/1415-2, CHURCH LANE P.O., PETTAH, THIRUVANANTHAPURAM DISTRICT - 695 024. 2 THE MANAGER, ALL SAINTS COLLEGE, THIRUVANANTHAPURAM - 695 007 3 THE PRINCIPAL, ALL SAINTS COLLEGE, THIRUVANANTHAPURAM - 695 007 BY ADV.SRI.V.A.MUHAMMED BY ADV.SRI.V.RAJASEKHARAN NAIR THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 178 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1565 OF 2021 AGAINST THE JUDGMENT DATED 29.6.2021 IN WP(C).NO.9073/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1 TO 3 IN WPC: 1 STATE OF KERALA REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695 001.

2 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM - 695 033. 3 THE DEPUTY DIRECTOR OF

COLLEGIATE EDUCATION KOTTAYAM - 686 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENTS/PETITIONERS & RESPONDENTS 4 TO 7 IN WPC: 1 DR. GEETHA P. AGED 56 YEARS W/O.RAJAGOPALAN NAIR, ASSOCIATE PROFESSOR OF CHEMISTRY, DEVASWOM BOARD PAMBA COLLEGE, PARUMALA, RESIDING AT MANGALATHETHU PUTHEN VEEDU, KUTTEMPEROOR P.O., MANNAR, ALAPPUZHA, KERALA - 689 623.

:: 179 :: 2 DR.GIRIJA N. AGED 56 YEARS W/O.K.PRAKASH, ASSOCIATE PROFESSOR OF CHEMISTRY, DEVASWOM BOARD PAMBA COLLEGE, PARUMALA, RESIDING AT VAYULIL, ELANJIMEL P.O., CHENGANNUR, KERALA - 689 511. 3 THE MAHATMA GANDHI UNIVERSITY REPRESENTED BY THE REGISTRAR, M.G.UNIVERSITY CAMPUS, PRIYADARSINI HILLS, KOTTAYAM, KERALA - 686 560. 4 UNIVERSITY OF KERALA REPRESENTED BY THE REGISTRAR, UNIVERSITY OF KERALA, SENATE HOUSE CAMPUS, PALAYAM, THIRUVANANTHAPURAM, KERALA - 695 034. 5 THE MANAGER DEVASWOM BOARD COLLEGE, TRAVANCORE DEVASWOM BOARD, NANTHANCODE, KOWDIAR, THIRUVANANTHAPURAM - 695 003. 6 THE PRINCIPAL DEVASWOM BOARD PAMBA COLLEGE, PARUMALA, PATHANAMTHITTA, KERALA - 689 626. BY ADV.SRI.BABU VARGHESE (SR) BY ADV.SRI.C.V.ALEXANDER BY SRI.THOMAS ABRAHAM, SC, UNIVERSITY OF KERALA BY SRI.SURIN GEORGE IPE, SC, M.G.UNIVERSITY BY SRI.G.BIJU, SC, TRAVANCORE DEVASWOM BOARD THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 180 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1571 OF 2021 AGAINST THE JUDGMENT DATED 8.4.2021 IN WP(C).NO.19264/2016 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.

2 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, PGM JUNCTION, THIRUVANANTHAPURAM-695 033. 3 THE DEPUTY DIRECTOR OF COLLEGE EDUCATION KOTAYAM-686 001. 4 THE ACCOUNTANT GENERAL (A&E) KERALA, THIRUVANANTHAPURAM-695 001.

5 THE PRINCIPAL SECRETARY TO GOVERNMENT FINANCE (PENSION) DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 181 :: RESPONDENT/PETITIONER IN WPC: ANNA CHANDY AGED 57 YEARS W/O. K.K.KURIAN, RETIRED ASSOCIATES PROFESSOR OF ZOLOGY, BCM COLLEGE, KOTTAYAM, RESIDING AT MARIA BHAVAN, KUMARANALLOOR P.O., KOTTAYAM-686 016. BY SRI.BABU VARGHESE (SR) BY ADV.SRI.C.V.ALEXANDER THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 182 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS

C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A NO.1575 OF 2021 AGAINST THE JUDGMENT DATED 8.4.2021 IN WP(C).NO.8921/2017 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS 1, 2, 3, 6 & 7 IN WPC: 1 STATE OF KERALA REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT,HIGHER EDUCATION DEPARTMENT,SECRETARIAT,THIRUVANANTHAPURAM-695001.

2 THE DIRECTOR OF COLLEGIATE EDUCATION, VIKAS BHAVAN,PMG JUNCTION,THIRUVANANTHAPURAM-695 033. 3 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, KOTTAYAM-686 001. 4 THE ACCOUNTANT GENERAL, OFFICE OF THE ACCOUNTANT GENERAL, THIRUVANANTHAPURAM-695 001. 5 THE PRINCIPAL SECRETARY TO GOVERNMENT, FINANCE (PENSION) DEPARTMENT,GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 183 :: RESPONDENT/PETITIONER IN WPC/RESPONDENTS 4, 5, 8, 9 AND 10 IN WPC: 1 K.M ABRAHAM, AGED 57 YEARS S/O.LATE P.M.MAMMEN,RETIRED ASSOCIATE PROFESSOR OF HISTORY,CHRISTIAN COLLEGE,CHENGANNUR,RESIDING AT CHEMPANAL BETHEL,KADAPRA P.O.,KUMBANAD, PATHANAMTHITTA DISTRICT-689 547.

2 UNIVERSITY OF KERALA, REPRESENTED BY THE REGISTRAR,SENATE HOUSE CAMPUS, PALAYAM, THIRUVANANTHAPURAM-695 034. 3 THE MAHATMA GANDHI UNIVERSITY, REPRESENTED BY THE REGISTRAR,M.G.UNIVERSITY CAMPUS, PRIYADARSINI HILLS ,KOTTAYAM-686 560. 4 THE MANAGER, CHRISTAIN COLLEGE,CHENGANNUR-689 121. 5 THE MANAGER, MAR THOMA COLLEGE, THIRUVALLA-689 111. 6 THE MANAGER, ST.THOMAS

COLLEGE,KOZHENCHERY-689 641. BY ADV.SRI.BABU VARGHESE (SR.) BY ADV.SRI.C.V.ALEXANDER BY SRI.THOMAS ABRAHAM, SC, UNIVERSITY OF KERALA BY SRI.SURIN GEORGE IPE, SC, M.G.UNIVERSITY THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 184 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1576 OF 2021 AGAINST THE JUDGMENT DATED 1.10.2021 IN WP(C).NO.19655/2021 OF HIGH COURT OF KERALA APPELLANTS/RESPONDENTS IN WPC: 1 STATE OF KERALA REPRESENTED BY CHIEF SECRETARY TO GOVERNMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 3 THE PRINCIPAL SECRETARY TO GOVERNMENT FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.

4 THE DIRECTOR OF COLLEGIATE EDUCATION THIRUVANANTHAPURAM, PIN - 695 004. 5 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION KOZHIKODE DISTRICT, PIN - 673 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER :: 185 :: RESPONDENTS/PETITIONER IN WPC: BHASKARAN CHALIL AGED 59 YEARS S/O.CHANDU C.(LATE), RETIRED HEAD ACCOUNTANT, PAYYANNUR COLLEGE, PAYYANNUR, KANNUR DISTRICT, PIN - 670 307, RESIDING AT CHALIL HOUSE, MULLIKODE,

KUNHIMANGALAM P.O., KANNUR DISTRICT, PIN - 670 309. BY ADV.SRI.MURALI PALLATH THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 186 ::

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR & THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. WEDNESDAY, THE 15TH DAY OF DECEMBER 2021/24TH AGRAHAYANA, 1943 W.A.NO.1600 OF 2021 AGAINST THE JUDGMENT DATED 30.7.2021 IN WP(C).NO.11563/2021 OF HIGH COURT OF KERALA APPELLANT/RESPONDENTS 1 - 4 IN WPC: 1 STATE OF KERALA REPRESENTED BY SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE DIRECTOR OF COLLEGIATE EDUCATION 6TH FLOOR, VIKAS BHAVAN, VIKAS BHAVAN P.O., THIRUVANANTHAPURAM-695 033. 3 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION VAYASKARAKUNNU, NEAR FIRE STATION, KOTTAYAM-686 001. 4 THE ACCOUNTANT GENERAL (A&E) KERALA OFFICE OF THE PRINCIPAL ACCOUNTANT GENERAL (A&E) AUDIT BHAVAN, M.G.ROAD, THIRUVANANTHAPURAM-695 001. BY SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL BY SRI.A.J.VARGHESE, SR. GOVERNMENT PLEADER RESPONDENT/PETITIONER & RESPONDENT 5 IN WPC: 1 SREE USHA N AGED 61 YEARS ASSISTANT PROFESSOR (RETD), ST. THOMAS COLLEGE, RANNI, RESIDING AT PUTHENPURAYIL HOUSE, PUTHENKAVU P.O.,

:: 187 :: ANGADIKKAL, CHENGANNUR, PATHANAMTHITTA-689 123. 2 THE PRINCIPAL ST. THOMAS COLLEGE, RANNI, PAZHAVANMGADI P.O., RANNI, PATHANAMTHITTA-689 673. BY

ADV.SRI.S.MUHAMMED HANEEFF THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 07.12.2021 ALONG WITH W.A.NO.916/2021 & CONNECTED CASES, THE COURT ON 15.12.2021 DELIVERED THE FOLLOWING: :: 188 :: 'C.R.'

JUDGMENT

A.K. Jayasankaran Nambiar, J.

The State of Kerala is the appellant in all these appeals, aggrieved by the common judgment dated 18.03.2021 of the learned single judge in W.P(C) No.1033/2020 and connected cases and the subsequent judgments of the learned single judge following the former judgment. The short issue that was adjudicated by the learned single judge was the validity of an amendment effected to Rule 14E

(b) of Part III Kerala Service Rules [KSR], to the extent it stipulated

that only regular service rendered by teachers in private aided colleges in the State, prior to the regular service rendered by them in the aided/government colleges from where they superannuated, would be reckoned for the purposes of computation of their pensionary benefits. The brief facts necessary for disposal of these writ appeals are as follows: The writ petitioners were all persons who had rendered service in leave vacancies in various private aided colleges in the State, prior to commencing regular service in the establishment from which they :: 189 :: subsequently retired on superannuation. In their writ petitions, they were aggrieved by the stand of the respective authorities of the State government, based on the amendments effected to Rule 14E (b) of Part III KSR in 2009, that they could not reckon the prior service rendered by them in leave vacancies in private aided colleges in the state, for the purposes of computing their pensionary benefits. The writ petitioners pointed out that while the erstwhile provisions of Part III KSR, that was made applicable to them through the relevant provisions of the University statutes that governed their conditions of service and pensionary benefits, clearly provided for reckoning their regular service in the establishment from which they retired on superannuation, for the purposes of pensionary benefits, various government orders issued by the State Government from time to time had

permitted the addition of prior service rendered in aided private colleges in the State, to the former, for the purposes of determining their entitlement to pensionary benefits. They contended, therefore, that the impugned amendment that was effected in 2009, purportedly to provide a statutory footing to the executive orders aforementioned, ran counter to the said objective and was ultra vires the Kerala Service Rules framed by the State Government pursuant to the power granted under Article 309 of the Constitution. :: 190 ::

2. Through the counter affidavits filed on behalf of the State

government in the writ petitions, it was pointed out that the impugned amendment to Rule 14E (b) of Part III KSR was effected so as to give a statutory basis to the Government Orders that had earlier

held the field and, in that sense, there was no substantial change

effected to the conditions of service of the teachers concerned. Reference has been made to the earlier and subsequent Government orders issued in this connection and also to the judgment of a Division Bench of this Court in Shameer Ali v. Deputy Director of Collegiate Education - [2018 (3) KLT 925], wherein this Court had held that while aided school service put in by government college employees prior to their entry in government service had to be reckoned for the purposes of pensionary benefits, it would nevertheless be subject to the six specific conditions mentioned in Rule 14E of Part III KSR.

3. The learned single judge who considered the issue found

that the impugned amendment, to the extent it included the word regular to qualify the prior service rendered by teachers in aided colleges, prior to their service in the aided college from which they :: 191 :: retired on superannuation, for the purposes of pensionary benefits, went against the stated objective of the amendment that it only gave effect to the executive orders that held the field till then. The learned judge found that the earlier government orders had not qualified the service that was eligible for being counted for pensionary purposes and hence the service could not have been qualified while continuing the said benefit through

a statutory provision. The learned judge also relied on the provisions of Rule 20 of Part III KSR, and the proviso thereto, to hold that past service put in by government employees and aided school/college teachers in Panchayath/Municipal common service and Universities prior to their entry in State Government service or Aided School/College service had to be reckoned as qualifying service for pensionary benefits and hence there could not be a different yardstick stipulated under Rule 14E (b) of Part III KSR. The writ petitions were therefore allowed by striking down the expression regular in clause (i) of clause (b) of Rule 14E, Part III KSR and its applicability with effect from 30.07.1979. It was held that the amended provision would apply only prospectively from 28.08.2009 as was done in the case of a similar amendment brought about in Rule 14E (a) by the notification dated 10.08.2018. :: 192 ::

4. We have heard the learned Advocate General Sri.

Gopalakrishna Kurup, duly assisted by the learned senior Government Pleader Sri. A.J.Varghese on behalf of the appellants in these writ appeals, Sri. P.C. Sasidharan, the learned Standing counsel for the Calicut University, Sri.Thomas Abraham, the learned Standing counsel for the Kerala University, Sri.Surin George Ipe, the learned Standing counsel for the M.G. University, Adv. Sri.M.S.Radhakrishnan Nair, Adv. Sri.Siji Antony, Adv. Sri.K.M. Kurian, Adv. Smt.Vineetha Susan Thomas, Adv. Sri.B.Mohanlal, Adv. Sri.S.Harikrishnan, Adv. Sri.Baby Issac Illickal, Adv. Sri.M.M.Monaye, Adv. Sri.Benoy Thomas, Adv. Sri.S.Muhammed Haneeff, Sri. Babu Varghese, the learned senior counsel duly assisted by Adv. Sri.C.V.Alexander, Adv. Sri.A.K.Alex, Adv. Sri.Arun B. Varghese, Adv. Sri.V.A.Muhammed and Adv. Sri.Murali Pallath for the respondents in these writ appeals.

5. On a consideration of the rival submissions, we find that it is

not in dispute in these appeals that the writ petitioners were essentially aggrieved by the non-inclusion of their prior service rendered in leave vacancies in private aided colleges, prior to their entry into regular service in either the same or different aided/government colleges from where they retired on :: 193 :: superannuation, in the service period that qualified for the grant of pensionary

benefits in terms of Part III KSR. Their challenge to the amendment effected to Rule 14E (b) Part III KSR was premised on the assumption that the said provision, which dealt with reckoning of past service for pensionary benefits, took in even service that was rendered in leave vacancies. It was therefore that they pointed to the government orders that earlier held the field, and contended that the amendment to the KSR, that was purportedly effected to provide a statutory basis for the benefits intended for them, frustrated that intention by qualifying the service as regular service and further, depriving them of accrued/vested rights through a retrospectivity accorded to the amendment. We might point out at the very outset that we find this assumption to be erroneous, and that a challenge to the statutory provisions could not have been maintained at the instance of the writ petitioners. Rule 14E(b) of Part III KSR reads as follows: 14E. (a) xxxxxxxxxxxxx xxxxxxxxxxxxxx xxxxxxxxxxx

(b) Aided private college service, both teaching and

non-teaching, of Government employees prior to their entry in Government service shall qualify for pensionary benefits, subject to the following conditions, namely:-

(i) The actual period of regular full time service rendered from the date of actual introduction of Direct Payment System in the aided private college shall be counted. :: 194 ::

(ii) Service rendered prior to the introduction of Direct

Payment System in any private college shall be counted only for the period of those incumbents who have been paid salary under grant-in-aid scheme introduced with effect from 1965.

(iii) In cases of resignation of the appointment in private

college service for the purpose of taking up appointment in Government, break, if any, between the private college service and the Government service shall not exceed the joining time admissible under the service rules, plus public holidays. Service prior to resignation for other purposes shall not be counted.

(iv) The Government contribution if any, to their Provident Fund Account in respect of their aided private college service shall be refunded to Government.

(v) The Management's share of contribution if any in

Provident Fund Account in respect of aided private college staff shall be credited to Government. In such cases, a certificate in the following form shall be recorded in the Service Book by the Head of Institution in which the incumbent had worked duly countersigned by the Head of the Department. Certified that the Governments'/Managements' share of contribution with interest thereon which should otherwise have gone to the employee has not been/shall not be paid to him/her but has been/shall be credited to Government. The certificate regarding the crediting of Managers' contribution is not necessary when contributions are to be paid back to the Management under rules.

(vi) For counting the aided private college service, a

certificate in the following form shall be recorded in the Service Book by the Head of the Institution in which the incumbent had worked duly countersigned by the Head of the Department. Service has been verified with reference to the initial records such as attendance registers, acquittance rolls, pay bills etc., and is qualifying for pension.

6. Prior to the introduction of Rule 14E (b) in Part III KSR, the

provisions for inclusion of prior aided college service for pensionary benefits were to be found in various Government orders issued from time to time. Vide G.O.(Ms.)No.191/77/H.Edn dated 05.12.1977, :: 195 :: private college service of government college teachers was permitted to be counted for retirement benefits subject to the conditions specified therein. G.O.(P)No.670/79/Fin. dated 30.07.1979 extended the said benefit to government employees other than government college teachers. Later, by G.O.(P)No.319/85/Fin. dated 05.06.1985, prior government service of private college teaching/non-teaching staff was

permitted to be counted for pension. Thereafter, through G.O.(P)No.543/89/Fin. dated 20.11.1989, the government permitted provisional service, with or without break, to be reckoned as qualifying service for pension. G.O.(P)No.540/94/Fin. dated 30.09.1994, although issued in the context of reckoning the provisional service that would count for the purposes of increment, gives a clear indication that the provisional service envisaged in the government orders is one rendered in terms of Rule 9 (a) (i) of Part II Kerala State & Subordinate Service Rules [KS&SSR]. What is significant, however, is that the various government orders issued in the context of defining the service, other than regular service, that would qualify for pensionary benefits, did not at any point in time include service rendered in leave vacancies. Further, through G.O. (P)No.3116/98/Fin. dated 15.12.1998, the benefit of reckoning provisional service for pensionary benefits was cancelled with effect :: 196 :: from 01.10.1994 with the condition that past cases would not be re- opened. Through G.O.(P) No.2357/99/Fin. dated 25.11.1999, it was clarified that provisional service that counted for increment till 30.09.1994 would also be reckoned for pension irrespective of dates of retirement after 20.11.1989 and that provisional service after 01.10.1994 would not be reckoned as qualifying service for pension. It was also clarified that cases of retirement from service during the period from 01.10.1994 to 15.12.1998, and pensionary claims already sanctioned would not be re-opened.

7. A mere perusal of the various government orders referred

above would clearly indicate that the service that was once considered for inclusion in the qualifying service for pension was the provisional service envisaged under Rule 9 (a) (i) of the KS&SSR. Although such provisional service, that is rendered against a post that the incumbent holds temporarily, on account of his not being eligible to occupy the sanctioned post on regular basis, would not ordinarily qualify for the grant of pensionary benefits, it is within the discretion of the Government to include such service for pensionary benefits. In other words, the extension of pensionary benefits to a category of persons who would otherwise not be entitled to pension as per the :: 197 :: rules is within the discretion of the government. While it may be true that the government chose to include provisional service rendered against sanctioned posts till regular hands were appointed, in the

qualifying service for pension, it does not follow that the government must, on the principles of equality, extend the same benefit to service rendered in a leave vacancy especially when the lien to the post, even during the leave period, is held by a person other than the writ petitioners herein.

8. In the case of provisional service rendered against a

sanctioned post, the incumbent to the post obtains a limited lien to the post, co-terminus with his engagement on provisional basis. As against this, the distinguishing feature of a service rendered in a leave vacancy is the fact that the lien to the post is all along held by another person, in whose absence from the place of work, the incumbent gets an opportunity to work in the post. The scheme under the KSR, read with the Government Orders issued from time to time, clearly indicates that it is the occupancy of a post together with a lien thereto - either limited or absolute - that entitles the lien holder to the pensionary benefits attached to that post. The person appointed in a leave vacancy merely officiates or occupies that post till the original :: 198 :: incumbent returns after leave and, while doing so, he does not obtain any lien to the post.

9. When the issue is considered in the light of the above

discussion, it becomes apparent that even in the absence of the word regular that qualified the service that was included for the purposes of pensionary benefits in Rule 14E (b), the service envisaged thereunder was only such provisional or other service that conferred a lien to the post on the employee concerned. The claim of the writ petitioners being in respect of service rendered in leave vacancies, they were not in any way entitled to the beneficial provisions of either the government orders referred above, or to the provisions of Rule 14E (b) and, in that sense, they never obtained any vested right to count their service in leave vacancies for the pensionary purposes. As observed in a recent judgment of the Supreme Court in Manish Kumar v. Union of India - [(2021) 5 SCC 1], rights are vested when the right to enjoyment, present or prospective, has become the property of some particular person or persons as present interest. A mere expectancy of future benefits, or contingent interest in property founded on anticipated continuance of existing laws, does not constitute vested rights. A right vests when all the facts

have :: 199 :: occurred which must by law occur in order for the person in question to have the right. In the instant case, the writ petitioners could not point to any provision, either in the government orders or under the statutory rules, that conferred on them a right to include service rendered in leave vacancies in the qualifying service reckoned for pensionary benefits. A challenge to the vires of an amendment to the Rule 14E(b) of Part III KSR which in no way affect them, could not have been maintained at their instance.

10. After the hearing in these appeals was concluded, the learned counsel for the respondents/writ petitioners in W.A.Nos.

judgment dated 01.12.2021 of the Supreme Court in Dr. G.

Sadasivan Nair v. Cochin University of Science & Technology & Ors - [CA No.6994/2021] to support his argument for inclusion of service rendered in leave vacancies in the qualifying service for pension. On a reading of the said judgment, however, we find that the issue considered by the Supreme Court was whether the benefit of reckoning the service as an advocate, prior to joining university service, could be denied to a person based on an amendment to the statutory rule that was brought in subsequent to his joining the :: 200 :: university. The court took note of the fact that the university had granted the benefit to another employee who had joined the university prior to the amendment and hence there was no justification in denying the same benefit to the appellant before it. We do not see how the said judgment can come to the aid of the respondents herein more so when they have not been able to refer us to any provision in law whereby their service in leave vacancies can be counted for pensionary benefits. There is also no reference to any such provision in the argument notes that were submitted to us on behalf of the learned senior counsel Sri. Babu Varghese, who appeared on behalf of the respondent writ petitioners in W.A.No.1575/2021. Further, we note that in the said Writ Appeal and in W.A.Nos.1230/2021 and 1565/2021 the vacancy in which the services were rendered includes deputation vacancy which in the context of the lien held is conceptually the same as a leave vacancy and accordingly the same principle as above would apply to find against the writ petitioners therein.

11. While the above discussion would be sufficient to repel the

challenge of the writ petitioners, it is also significant that none of the writ petitioners produced material to suggest that they had complied :: 201 :: with the conditions stipulated in Rule 14E (b) for the grant of benefits thereunder, even assuming that they qualified for the receipt of such benefits. Compliance with the said conditions is a pre-condition for obtaining the benefits under the Rule, as held by the division bench decision of this court in Shameer Ali (supra). In the result, we find ourselves unable to uphold the impugned

judgment of the learned single judge. The writ appeals are therefore

allowed by setting aside the impugned judgments of the learned single judge and dismissing the writ petitions. Sd/- A.K.JAYASANKARAN NAMBIAR JUDGE Sd/- MOHAMMED NIAS C.P. JUDGE prp

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