

Dr.G.Valsala Devi vs the Principal

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Court : Kerala

Decided On : Sep-10-2021

Judge : Honourable Mr. Justice Amit Rawal

Appeal No. : WP(C)/18660/2021

Appellant : Dr.G.Valsala Devi

Respondent : The Principal

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE AMIT RAWAL FRIDAY, THE 10TH DAY OF SEPTEMBER 2021 / 19TH BHADRA, 1943 WP(C) NO. 18660 OF 2021 PETITIONER/S: DR.G.VALSALA DEVI, AGED 58 YEARS W/O AJITH PRASAD M S, ASSISTANT PROFESSOR (RETIRED), FORMER HEAD OF THE DEPARTMENT OF MALAYALAM, S.D COLLEGE, ALAPPUZHA, RESIDING AT INDEEVARAM, PUNNAPRA NORTH P.O.ALAPPUZHA, PIN-688 014. BY ADVS. GOPAKUMAR R.THALIYAL N.P.PRAJEESH RESPONDENT/S: 1 THE PRINCIPAL, S.D COLLEGE, SANADANAPURAM P.O.ALAPPUZHA, PIN-688 003. 2 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION ERNAKULAM, PIN-682

011. 3 THE DIRECTOR OF COLLEGIATE EDUCATION VIKAS BHAVAN, THIRUVANANTHAPURAM, PIN-695 033. 4 STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN-695 001. OTHER PRESENT: GP SRI JIMMY GEORGE THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10.09.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -2-

JUDGMENT

(Dated this the 10th day of September, 2021) The petitioner was appointed as a Lecturer in Malayalam in the year 2001 and thereafter, was promoted as Lecturer Senior Scale with effect from 8.8.2016 in the pay scale of Rs.10000-15200, approved by the University

of Kerala as per Ext.P3. Two advance increments on account of having attained M.Phil degree with effect from 8.8.2001 as per the UGC scheme in vogue was also given. Vide Ext.P5 order, she was promoted as Assistant Professor in the pay scale of Rs.15600-39100 plus AGP 8000. In the year of 2013 the petitioner had taken Ph.D in Malayalam from MG University and was promoted as Associate Professor with AGP of Rs.9000/- in the pay scale of Rs.37400-67000 with effect from 8.8.2014.

2. The learned counsel for the petitioner submitted

that an order dated 20.11.2020 was passed by the 2 nd respondent i.e., the Deputy Director of Collegiate Education after retirement from service on superannuation -3- on 31.5.2019, fixing the pension at a lower scale in the post of Associate Professor with AGP 9000 and thereafter, the pension was sanctioned at lower scale as evident from Ext.P7. The authority had not taken the fact that the petitioner was promoted as Associate Professor with AGP 9000 in the pay scale of 37000-400-67000 with effect from 8.8.2014 as evident from Ext.P6. In this regard a representation dated 26.7.2021 (Ext.P8) was also submitted, but no steps have been taken.

3. Without expressing anything on the merits of the

case, I dispose of this Writ Petition, by issuing direction to the first respondent to take a decision on Ext.P8 representation dated 26.7.2021 within 45 days, after affording reasonable opportunity of hearing, either through virtual or physical mode.

This Writ Petition is disposed of accordingly. Sd/- AMIT RAWAL, JUDGE. dl/ -4- APPENDIX OF WP(C) 18660/2021 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE ORDER OF APPROVAL DATED 15.1.1992 ISSUED BY THE UNIVERSITY OF KERALA Exhibit P2 TRUE COPY OF THE ORDER DATED 5.5.2003 Exhibit P3 TRUE COPY OF THE ORDER DATED 20.9.2008 ISSUED BY THE UNIVERSITY OF KERLA Exhibit P4 TRUE COPY OF THE ORDER DATED 29.3.2014 ISSUED BY THE 2ND RESPONDENT Exhibit P5 TRUE COPY OF THE ORDER DATED 4.12.2018 Exhibit P6 TRUE COPY OF THE ORDER DATED 20.11.2020 ISSUED BY THE 2ND RESPONDENT ALONG WITH ITS TRUE ENGLISH TRANSLATION

Exhibit P7 TRUE COPY OF THE PENSION PAYMENT ORDER

OF THE PETITIONER DATED 23.9.2020 Exhibit P8 TRUE COPY OF THE REPRESENTATION SUBMITTED TO THE 1ST RESPONDENT DATED 26.7.2021 ALONG WITH ITS TRUE ENGLISH TRANSLATION

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