

Najama V. vs State of Kerala

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Court : Kerala

Decided On : Mar-10-2020

Judge : Honourable Mr.Justice S.V.Bhatti

Appeal No. : WP(C)/7136/2020

Appellant : Najama V.

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE S.V.BHATTI TUESDAY,
THE 10TH DAY OF MARCH 2020 / 20TH PHALGUNA, 1941
WP(C).No.7136 OF 2020(N) PETITIONER: NAJAMA V. AGED 37
YEARS ARABIC TEACHER, KARAYAD EST ALP SCHOOL,
KOZHIKODE-673 524 BY ADVS. SRI.POOVAMULLE PARAMBIL
ABDULKAREEM SRI.K.N.KUMARASWAMY SARMA RESPONDENTS:
1 STATE OF KERALA REPRESENTED BY THE SECRETARY TO
GOVERNMENT, GENERAL EDUCATIONAL DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001

2 THE DIRECTOR OF GENERAL EDUCATION, JAGATHY,
THIRUVANANTHAPURAM-695 014 3 THE ASSISTANT EDUCATIONAL

OFFICER, KOYILANDY-673 507 4 THE MANAGER, KARAYAD EAST A.L.P. SCHOOL, KOZHIKODE DISTRICT- 673 524 R1 TO R3 BY SRI. P.M. MANOJ, SR. GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10.03.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C).No.7136 OF 2020(N) 2

JUDGMENT

Dated this the 10th day of March 2020 Heard Adv. P.P. Abdul Kareem for the petitioner and Sri. P.M. Manoj, learned Senior Government Pleader for respondents 1 to 3.

2. The petitioner prays for the following reliefs:-

"i) To issue a writ of mandamus or any other appropriate order or direction, directing the 1st respondent to consider and pass final orders on Ext.P6 revision petition dated 14.02.2020 as expeditiously as possible. ii) To issue writ of certiorari or other appropriate writ or order quashing Exts. P2 and to the extent denial of approval from the date of appointment in Ext.P1 as it is illegal and unjustifiable. iii) To issue a writ of mandamus or any other appropriate writ or order or direction directing the third respondent to approve the appointment of the petitioner as Arabic Teacher from 01.06.2009 onwards in Karayad East ALP School, Karayad and to direct to disburse all consequential monetary benefits to her forthwith. iv) To grant such other relief which this Hon'ble Court deems fit and necessary in the interest of justice."

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3. Admittedly, the petitioner has filed Ext.P6 revision before the first respondent substantially for the same reliefs and for the same grounds stated in the writ petition.

4. Adv. Sri. P.P.Abdul Kareem prays for expeditious consideration and disposal of Ext.P6 by the first respondent.

5. Sri. P.M. Manoj, learned Senior Government Pleader does not oppose the limited prayer. Hence, the writ petition stands disposed of by this judgment:-

a) The petitioner files a copy of this judgment

along with Ext.P6 before the first respondent within two weeks from today. b) The first respondent, after issuing notice to parties interested in the outcome of Ext.P6, considers and disposes of Ext.P6, as expeditiously as possible, preferably within three months from today. sd/- S.V.BHATTI JUDGE DCS WP(C).No.7136 OF 2020(N) 4 APPENDIX PETITIONER'S/S EXHIBITS: EXHIBIT P1 TRUE COPY OF THE APPOINTMENT ORDER DATED 01.6.2009 THUS ISSUED BY THE 4TH RESPONDENT EXHIBIT P2 TRUE COPY OF THE PROCEEDINGS NO.L.DIS .C 3RD RESPONDENT ALONG WITH ITS TRANSLATION EXHIBIT P3 TRUE COPY OF THE LETTER NO 609830/J2/G.EDN DATED 25.10.2011 ISSUED BY THE 1ST RESPONDENT EXHIBIT P4 TRUE COPY OF THE ORIGINAL STAFF FIXATION

ORDER NO.D.DIS. C. 3662/2009 DATED

31.12.2009 ISSUED BY THE 3RD RESPONDENT EXHIBIT P5 TRUE COPY OF THE JUDGMENT DATED 26.7.2017 IN WA NO.2592/2015 PASSED BY THIS HON'BLE COURT EXHIBIT P6 TRUE COPY OF THE REVISION PETITION DATED 14.02.2020 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT

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