

Manager vs State of Kerala

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Court : Kerala

Decided On : Oct-30-2020

Judge : Honourable Mr. Justice Devan Ramachandran

Appeal No. : WP(C)/23172/2020

Appellant : Manager

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN FRIDAY, THE 30TH DAY OF OCTOBER 2020 / 8TH KARTHIKA, 1942 WP(C).No.23172 OF 2020(V) PETITIONER: MANAGER, NARIKKUNNU U P SCHOOL, EDACHERI P O, KOZHIKODE, PIN-673502. BY ADVS.SRI.JIJI THOMAS SMT.SMITHA MATHEW RESPONDENTS:

1 STATE OF KERALA REPRESENTED BY THE SECRETARY, GENERAL EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 2 DIRECTOR OF GENERAL EDUCATION GENERAL EDUCATION DEPARTMENT, JAGATHY,

THIRUVANANTHAPURAM-695014. 3 DISTRICT EDUCATIONAL OFFICER VADAKARA, KOZHIKODE-673540. 4 ASSISTANT EDUCATIONAL OFFICER CHOMBALA, KOZHIKODE, PIN-673308. 5 RAMYA V V., LPST, NARIKKUNNU U P SHCOOL, EDACHERI P.O, KOZHIKODE, PIN-673502. BY SRI. UNNIKRISHNA KAIMAL GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON

30.10.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WPC 23172/20 2

JUDGMENT

Dated this the 30th day of October 2020 The petitioner, who is the Manager of Narikkunnu U.P.School, Edacheri, has approached this Court with a singular plea that the statutory Revision, namely Exhibit P5, preferred before the second respondent, under Rule 8A Chapter XIVA of the Kerala Education Rules, be directed to be taken up and disposed of at the earliest.

2. The learned Senior Government Pleader submitted that

there is no legal impediment in Exhibit P5 Revision being taken up and disposed of; but prayed that this Court may not make any affirmative declarations as to the entitlement of the petitioner to any relief and leave it to the competent Authority to take a decision on it in terms of law. In the afore circumstances, I order this writ petition and direct the second respondent to take up Exhibit P5 Revision filed by the petitioner and to dispose of the same, after affording an opportunity of being heard to him - either physically or through video conferencing - thus leading to an appropriate decision thereon, as WPC 23172/20 3 expeditiously as is possible, but not later than three months from the date of receipt of a copy of this judgment.

Sd/- Devan Ramachandran, Judge tkv WPC 23172/20 4 APPENDIX
PETITIONER'S EXHIBITS: EXHIBIT P1 A COPY OF THE APPOINTMENT ORDER DATED EXHIBIT P2 A COPY OF THE INTERIM ORDER OF THE SUPREME APEX COURT IN CIVIL APPEAL NO.3490/2016 DATED 07/04/2016. EXHIBIT P3 A COPY OF THE REJECTION ORDER OF AEO DATED EXHIBIT

P4 A TRUE COPY OF THE REJECTION ORDER OF DEO DATED 10/10/2020.
EXHIBIT P5 A COPY OF THE REVISION PETITION DATED /true copy/ P.S. TO
JUDGE

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