
(2011) 03 KL CK 0217

In the High Court Of Kerala

Case No : Writ Petition (C) No. 32260 of 2010

Antony Joseph, H.S.S.T (Jr.), P.H.S.S.

APPELLANT

Vs

State of Kerala and Others

RESPONDENT

Date of Decision : 21-03-2011

Acts Referred:

Kerala Education Rules, 1959 — Rule 3

Citation : (2011) 03 KL CK 0217

Hon'ble Judges : T.R. Ramachandran Nair, J

Bench : Single Bench

Advocate : R. Ramadas, for the Appellant; Jijo Paul, for the Respondent

Judgement

T.R. Ramachandran Nair, J.—The Petitioner, who is working as H.S.S.T (Junior) in Panthallur Higher Secondary School, Malappuram District, has approached this Court by filing this writ petition seeking to quash Exts.P6 and P7 and for a direction to the Respondents to reconsider the Petitioner's case in the light of the power vested in the Government under Chapter 1 Rule 3 of the Kerala Education Rules. Mainly it is prayed that the Petitioner may be granted the scale of pay of H.S.S.T (Senior).

2. During the pendency of the writ petition, the Petitioner has filed a representation as per Ext.P8 before the Government which is produced along with I.A. No. 4843/2011.

3. It is the case of the Petitioner that in Malappuram District, Petitioner is the second senior most H.S.S.T among the H.S.S.T teachers in the District as per the seniority list. But, still he is continuing as H.S.S.T (Junior) since the number of periods for the subject is less than 16 in the Petitioner's school, whereas many of the Petitioner's juniors are continuing as H.S.S.T (Senior) only on the basis that there are more than 16 periods for the subject in the respective schools. It is submitted that this is an anomaly to be rectified in the Special Rules itself. It is up to the Government to take a decision on Ext.P8 representation. It is pointed

out that the Petitioner will be retiring within one year.

There will be a direction to the Government to take a decision on Ext.P8 representation, after hearing the Petitioner and the Manager, within a period of four months from the date of receipt of a copy of this judgment.

This writ petition is accordingly disposed of.