

(2011) 03 KL CK 0236

In the High Court Of Kerala

Case No : Writ Petition (C) No. 35574 of 2009

K.M. Thresiamma, Headmistress

APPELLANT

Vs

The State of Kerala and Others

RESPONDENT

Date of Decision : 22-03-2011

Acts Referred:

Citation : (2011) 03 KL CK 0236

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

Bench : Single Bench

Advocate : P.J. Mathew, for the Appellant; Siby Mathew, for the Respondent

Judgement

T.R. Ramachandran Nair, J.—The Petitioner is the Headmistress of Marygiri High School, Maranchatty, Kozhikode District. The approval of appointment of the Petitioner was rejected for the reason that the 5th Respondent has not produced any declaration of minority status to the schools of Thamarasery Diocese either from the Government or from the National Minority Commission. Exhibit P2 is the said order. The same is confirmed as per Exhibit P3 order by the 3rd Respondent and Exhibit P6 order by the Director of Public Instructions.

2. Along with I.A. No. 4955/11, the Petitioner has produced Exhibit P10, the proceedings of the National Commission for Minority Educational Institutions, wherein the Commission has passed an order in respect of various institutions including the school in question conferring minority status within the meaning of Section 2(g) of National Commission for Minority Educational Institutions Act, 2004.

3. In the light of the above, if the Petitioner or the Manager produces Exhibit P10 proceedings (it is submitted by the learned Counsel for the Petitioner that the same has been produced already) before the District Educational Officer, the District Educational Officer will pass fresh order after hearing the Petitioner and the Manager within a period of one month from the date of receipt of a copy of this judgment. It is pointed out that the Petitioner is attaining superannuation on

31.3.2011. For enabling the District Educational Officer to pass appropriate order, Exhibits P2, P3 and P6 are quashed.

The Writ Petition is disposed of as above.