

(2011) 03 KL CK 0282

In the High Court Of Kerala

Case No : Writ Petition (C) No. 31514 of 2010 (L)

Mary Cruz S.

APPELLANT

Vs

State of Kerala, District Educational Officer, Assistant
Educational Officer and The Manager

RESPONDENT

Date of Decision : 21-03-2011

Acts Referred:

Citation : (2011) 03 KL CK 0282

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

Bench : Single Bench

Advocate : J. Julian Xavier, for the Appellant; No Appearance, for the Respondent

Judgement

T.R. Ramachandran Nair, J.—The Petitioner was appointed as per Ext.P1 order as LPSA in St. Mary's UPS, Kumbalam on 05.06.2007. This writ petition is filed challenging the orders passed on the application for approval and in the appeal.

2. It is the case of the Petitioner that the District Educational Officer disposed of the matter as per Ext.P6 with a direction to the Assistant Educational Officer to approve the appointment as LPSA from 05.06.2007 onwards. But, the Assistant Educational Officer as per Ext.P12 informed the Manager that the appointment can be approved from 05.06.2007 to 31.03.2008 on daily wage basis and from 01.06.2009 on regular basis and to produce an appointment order accordingly.

3. It is submitted by the learned Counsel for the Petitioner that actually the date is 01.06.2008. The above order was passed by the Assistant Educational Officer in the light of the Government Order No. 169/04. Learned Counsel for the Petitioner has produced along with I.A. No. 4892/2011 a recent order passed by the Government as per G.O.(P) No. 56/11/G. Edn. dated 26.02.2011 modifying the Government Orders namely, G.O.(P) No. 169/04/G. Edn. Dated 15.06.2004 and G.O.(P) No. 104/08/ G. Edn. Dated 10.06.2008. It is prayed that the Assistant Educational Officer may be directed to consider the above Government Orders and pass appropriate orders in the matter.

4. Therefore, this writ petition is disposed of directing the Assistant Educational Officer namely, 3rd Respondent to pass appropriate orders after considering Ext.P15 order passed by the Government dated 26.02.2011 within a period of six weeks from the date of receipt of a copy of this judgment. The Petitioner will produce a copy of this judgment along with a copy of the writ petition before the Assistant Educational Officer for compliance. The orders will be passed after hearing the Petitioner and the Manager.