
(2023) 08 KL CK 0062

In the High Court Of Kerala

Case No : Writ Petition (C) No. 25863 Of 2023

Venugopalan Nair

APPELLANT

Vs

Noushad A G (N.R.I)

RESPONDENT

Date of Decision : 08-08-2023

Acts Referred:

Citation : (2023) 08 KL CK 0062

Hon'ble Judges : A. J. Desai, CJ;V. G. Arun, J

Bench : Division Bench

Advocate : Rajitha V.K, Indhu V.M.

Final Decision : Dismissed

Judgement

A.J.Desai, C.J.

1. By way of the present writ petition filed in the nature of public interest, the petitioners pray for the following reliefs:

"i) Issue a writ of mandamus or any other appropriate writ, order or direction commanding the 2nd, 3rd, 4th and 5th respondents to not to allow anyone including the 1st respondent, to take up the managerial responsibility either permanently or as a correspondence manager of Vidyalaya, and not to take any action, including a hearing on the same until the final verdict of this petition.

ii) Direction may be given to The Education Department to take over the responsibility of management of this school just like government aided

school if the 6th respondent has any inconvenience being the current manager of the Vidyalaya in continuing his position.

iii) Direction may be given to the 6th respondent, the current manager, to carry out the necessary activities for the smooth running of the school, including keeping documents for the availability of salary benefits of those who are to be granted appointments till the final verdict of the case.

iv) Grant such other reliefs as this Hon'ble court deems fit and proper in the circumstances of the case."

2. It appears from the writ petition itself that the representation made by the petitioners is under consideration. Paragraph No.14 of the writ petition reads as under:

"These petitioners had submitted a representation before the 3rd respondent dated 30.06.2023, which had not been properly considered by the respondents herein. True copy of the representation made by the 2nd petitioner before the 3rd respondent, dated 30.06.2023 is produced herewith and marked as Exhibit P6. Based on the representation dated 30.06.2023, the 3rd respondent issued a notice to the petitioners dated 06.07.2023 to appear for hearing on 14.07.2023 which is been postponed to 21.07.2023 by issuing another notice dated 15.07.2023. These hearings were conducted in order to simply show that the hearing was held properly. Both hearings were ended up without taking any decision. True copy of the Notice of hearing issued by the 3rd respondent, the Deputy Director, Education to the petitioners dated 06.07.2023 is produced herewith and marked as Exhibit P7. True copy of the Notice of hearing issued by the 3rd respondent, the Deputy Direction of Education, to the petitioners dated 15.07.2023 is produced herewith and marked as Exhibit P8."

3. In view of the above factual aspects and the matter being under consideration before the appropriate authority, we are not inclined to entertain this petition at this stage.

The writ petition is dismissed accordingly.