

(2013) 12 KAR CK 0497

In the Karnataka High Court

Case No : Writ Petition No. 103896 of 2013 (S-RES)

Vijayalakshmi

APPELLANT

Vs

The State of Karnataka

RESPONDENT

Date of Decision : 19-12-2013

Acts Referred:

Citation : (2013) 12 KAR CK 0497

Hon'ble Judges : Ram Mohan Reddy, J

Bench : Single Bench

Advocate : P. Vilaskumar, for the Appellant; Manvendra Reddy, Government Advocate, for R1-R4, for the Respondent

Final Decision : Partly Allowed

Judgement

Ram Mohan Reddy, J.—Petitioner was appointed as "Assistant Teacher" in the fifth respondent - Education Society on 5.6.1999 whence approval of appointment was not accorded, leading to petitioner instituting writ petition No. 21861/2005. The learned single Judge by order dated 19.6.2006 - Annexure-B, directed the Education Society to consider reinstating the petitioner upon obtaining approval of appointment. There afterwards, the 4th respondent - Deputy Director of Public Instructions by order dated 4.7.2007 - Annexure-C, accorded approval of petitioner's appointment as Assistant Teacher" with effect from 21.5.2007. Hence this petition to quash the order dated 4.7.2007 - Annexure-C and for a writ of mandamus to direct the respondents to fix pay scale and reckon service from 5.6.1999 together with consequential benefits. In the light of the decision of the learned single Judge in writ petition No. 19431/2005 and connected petitions in "V.T.S. Jeyabal v. State of Karnataka and Others" D.D. 13.10.2006, it is needless to state that the petitioner is entitled to the benefit of reckoning her services from 5.6.1999 onwards in the 5th respondent - Education Society together with all benefits.

2. In the result, this petition is allowed in part. Quashing of Annexure-C order of approval of appointment of the petitioner is unnecessary. A writ of mandamus

shall ensue to the 4th respondent to extend all such benefits as are available to the petitioner in the light of Jeyabal's case [supra], reckoning the petitioner's service from 5.6.1999 onwards together with all consequential benefits.