

## IN THE HIGH COURT OF KERALA AT ERNAKULAM

## PRESENT

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

FRIDAY, THE 10<sup>TH</sup> DAY OF JUNE 2022 / 20TH JYAISHTA, 1944WP(C) NO. 17052 OF 2022PETITIONER/S:

PRADEEP KUMAR.M.R.,  
AGED 47 YEARS  
SON OF RAJA TK, NON-VOCATIONAL TEACHER IN COMMERCE,  
SREE RAMA VILASAM NAIR SERVICE SOCIETY VOCATIONAL  
HIGHER SECONDARY SCHOOL, CHIRAKKADAVU, P.O.  
THEKKETHUKAVALA, KOTTAYAM DISTRICT-686519 (RESIDING  
AT SREE BHAVAN, PONKUNNAM-686 506, KOTTAYAM  
DISTRICT).  
BY ADVS.  
V.A.MUHAMMED  
M.SAJJAD

RESPONDENT/S:

- 1 THE STATE OF KERALA,  
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,  
GENERAL EDUCATION DEPARTMENT, SECRETARIAT ANNEXE II,  
THIRUVANANTHAPURAM-695 001.
- 2 THE DIRECTOR OF GENERAL EDUCATION,  
(VOCATIONAL HIGHER SECONDARY EDUCATION WING),  
HOUSING BOARD BUILDINGS, SANTHI NAGAR,  
THIRUVANANTHAPURAM-695 001.
- 3 THE ASSISTANT DIRECTOR OF VOCATIONAL HIGHER SECONDARY  
EDUCATION, ERNAKULAM @ CIVIL STATION,  
KAKKANAD, ERNAKULAM-682 030.
- 4 THE MANAGER,  
SREE RAMA VILASAM NAIR SERVICE SOCIETY VOCATIONAL  
HIGHER SECONDARY SCHOOL, CHIRAKKADAVU, P.O.  
THEKKETHUKAVALA, KOTTAYAM DISTRICT-686519.
- 5 SMT. P.B. GEETHAKUMARI,  
SREE RAMA VILASAM NAIR SERVICE SOCIETY VOCATIONAL  
HIGHER SECONDARY SCHOOL, CHIRAKKADAVU, P.O.  
THEKKETHUKAVALA, KOTTAYAM DISTRICT-686519.

SMT. NISHA BOSE, SR. GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
10.06.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**JUDGMENT**

The petitioner contends that he is a non-vocational teacher in Commerce having 18 hours workload per week. He has approached this Court seeking a declaration that he is senior to the 5th respondent for promotion to the post of Principal and also for a direction to the 4th respondent to grant him promotion to the post of Principal from 01.04.2022 onwards.

2. When this matter was taken up, Sri. M.Sajjad, the learned counsel appearing for the petitioner submitted that stating all his grievances, the petitioner has submitted Ext.P7 representation before the 3rd respondent which is pending and the limited request at this stage is for issuance of directions to the 3rd respondent to consider Ext.P7 and take a decision within time frame with due notice.

3. I have heard the learned Government Pleader. In the nature of the order that I propose to pass, notice to respondents 4 and 5 is dispensed with.

4. After having carefully evaluated the contentions raised in this writ petition, the submissions made across the Bar and the facts and circumstances,

I am of the view that this writ petition can be disposed of at the admission stage itself by issuing the following directions:

a) There will be a direction to the 3rd respondent to take up, consider and pass appropriate orders on Ext.P7 after affording an opportunity of being heard, either physically or virtually, to the petitioner herein or his authorised representative and respondents 4 and 5.

b) Orders, as directed above, shall be passed expeditiously, in any event, within a period of two months from the date of production of a copy of this judgment.

c) It would be open to the petitioner to produce a copy of the writ petition along with the judgment before the concerned respondent for further action.

This writ petition is disposed of.

Sd/-

**RAJA VIJAYARAGHAVAN V**

**JUDGE**

NS

**APPENDIX OF WP(C) 17052/2022**

## PETITIONER(S) EXHIBITS :

Exhibit P1	TRUE COPY OF THE ORDER NO. E3/15845/12 DATED 03.11.2012 OF THE 2ND RESPONDENT.
Exhibit P2	TRUE COPY OF THE ORDER NO. E3-11574/01 DATED 05.02.2002 OF THE 2ND RESPONDENT.
Exhibit P3	TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER DATED 05.11.2001.
Exhibit P4	TRUE COPY OF THE RELEVANT PAGE OF THE ATTENDANCE REGISTER (DECEMBER 2014).
Exhibit P5	TRUE COPY OF THE RELEVANT PAGE OF THE ATTENDANCE REGISTER (JANUARY 2015).
Exhibit P6	TRUE COPY OF THE LETTER ADDRESSED TO THE MANAGER DATED 10.05.2022.
Exhibit P7	TRUE COPY OF THE REPRESENTATION SUBMITTED BEFORE THE 3RD RESPONDENT DATED 18.05.2022.
Exhibit P8	TRUE COPY OF THE DECISION REPORTED IN 2009 (3) KHC 991 DECIDED ON 09.09.2009.

## RESPONDENT(S) EXHIBITS : NIL