

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 22ND JUNE 2011 / 1ST ASHADHA 1933

WP(C).No. 16777 of 2011(V)  
-----

PETITIONER:  
-----

K.C.SREEJA,W/O.RAJAGOPAL,AGED 38 YEARS,  
HIGHER SECONDARY SCHOOL TEACHER(HOME SCIENCE),  
GOVERNMENT G G HIGHER SECONDARY SCHOOL,COTTON HILL  
THIRUVANANTHAPURAM.

BY ADVS. SRI.V.A.MUHAMMED  
SRI.K.E.HAMZA

RESPONDENTS:  
-----

1. THE STATE OF KERALA,REPRESENTED BY ITS  
SECRETARY TO GOVERNMENT,GENERAL EDUCATION  
DEPARTMENT,SECRETARIAT,THIRUVANANTHAPURAM-695001.
2. THE DIRECTOR OF HIGHER SECONDARY  
EDUCATION,THIRUVANANTHAPURAM-695001.
3. SMT.SEEMA GOPINATHAN,HIGHER SECONDARY  
SCHOOL TEACHER(HOME SCIENCE),GOVERNMENT TRIBAL  
HIGHER SECONDARY SCHOOL,SHOLAYAR,PALAKKAD  
DISTRICT-678581.
4. THE PRINCIPAL,GOVERNMENT G G HIGHER  
SECONDARY SCHOOL,COTTON HILL,THIRUVANANTHAPURAM,  
PIN-695001.
5. THE PRINCIPAL,GOVERNMENT TRIBAL HIGHER  
SECONDARY SCHOOL,SHOLAYAR,PALAKKAD  
DISTRICT-678581.

BY SRI. V. VIJULAL, GOVERNMENT PLEADER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 22/06/2011, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

A P P E N D I X

PETITIONER'S EXHIBITS:

- EXT. P1 : COPY OF ORDER No.AD.C2/26415/06/HSE OF DIRECTOR  
DTD. 11.1.06.
- EXT. P2 : COPY OF ORDER No.AD.C2/26415/06/HSE OF DIRECTOR  
DTD. 19.1.06.
- EXT. P3 : COPY OF ORDER No.AD.C2/10845/07/HSE OF DIRECTOR  
DTD. 22.12.07.
- EXT. P4 : COPY OF ORDER No.AD.C2/10845/07/HSE OF DIRECTOR  
DTD. 31.12.07.
- EXT. P5 : COPY OF G.O.(Rt) No.1166/08/G.EDN. OF GOVT.  
DTD. 4.3.08.
- EXT. P6 : COPY OF ORDER No.AD.C2/1079/08/HSE OF DIRECTOR  
DTD. 22.5.08.
- EXT. P7 : COPY OF JUDGMENT OF THIS COURT IN WP(C) 1499/11  
DTD. 28.1.11.
- EXT. P8 : COPY OF ORDER No.73132/U1/10/G.EDN. OF GOVT.  
DTD. 15.6.11.
- EXT. P9 : COPY OF APPEAL FILED BEFORE GOVT. DTD. 18.6.11.

RESPONDENT'S EXHIBITS: NIL.

// True Copy //

P.A. to Judge.

smp

**T.R. RAMACHANDRAN NAIR, J.**

**W.P.(C) No.16777 OF 2011**

**Dated this the 22<sup>nd</sup> day of June, 2011.**

**J U D G M E N T**

The petitioner is working as Higher Secondary School Teacher (Home Science) in the Government G G Higher Secondary School, Cotton Hill, Thiruvananthapuram from 11.08.2008. The petitioner seeks for a direction to the Government to consider and pass orders on Ext.P9 review petition wherein the request is to reconsider the direction contained in Ext.P8 which was issued on the application of the 3<sup>rd</sup> respondent.

2. By Ext.P8, the Government has directed the Director of Higher Secondary Education to give a posting to the 3<sup>rd</sup> respondent after transferring the senior most teacher in Home Science. The petitioner submits that the petitioner was not issued any notice in the matter and the 3<sup>rd</sup> respondent herself is

the senior most in the District.

3. The apprehension of the petitioner is that in case of implementation of Ext.P8, the petitioner may have to face a transfer unnecessarily as she has not completed three years in the station.

4. The 3<sup>rd</sup> respondent had approached this Court earlier by filing W.P.(C) No.1499/2011 which was disposed of by Ext.P7 judgment. Therein, it was observed that if she submits an application for transfer, it will be considered at the time of general transfer. It is pointed out by the learned counsel for the petitioner that the applications for general transfer have not been invited so far. It is in these circumstances, the petitioner seeks for reconsideration of Ext.P8.

There will be a direction to the Government to consider Ext.P9 representation and pass appropriate orders, after hearing the petitioner, the 3<sup>rd</sup> respondent and any other person who is likely to be affected. The same will be done within a period of two months from the date of receipt of a copy of this judgment. It is made clear that this Court has not expressed anything on

the merits of the matter either way. The petitioner will forward a copy of this judgment along with a copy of the writ petition for compliance.

This writ petition is disposed of as above.

**T.R. RAMACHANDRAN NAIR  
JUDGE**

smp