

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE GOPINATH.P.

TUESDAY, THE 12TH DAY OF MAY,2020/22ND VAISAKHA, 1942

W.P(C) NO.9859 OF 2020

PETITIONER:-

M.R. SANTHOSHBABU
CLERK,THEKKUMMURI HIGH SCHOOL,
PUTHENCHIRA, THRISSUR- 680 682

BY ADVS. SRI. P. MOHANDAS,
SRI.K. SUDHINKUMAR &
SRI.N.L.BITTO

RESPONDENTS:-

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
GENERAL EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
2. DIRECTOR OF PUBLIC INSTRUCTIONS,
OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTIONS,
JAGATHY, THIRUVANANTHAPURAM- 695 014.
3. DEPUTY DIRECTOR OF EDUCATION,
OFFICE OF THE DEPUTY DIRECTOR OF EDUCATION
CIVIL STATION, AYANTHOL, THRISSUR-680 003.
4. DISTRICT EDUCATION OFFICER,
IRINJALAKKUDA, THRISSUR- 680 121.
5. HEADMASTER,THEKKUMMURI HIGH SCHOOL,
PUTHENCHIRA, THRISSUR- 680 682

BY GOVERNMENT PLEADER SMT.B.VINITHA

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON 12.05.2020,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Admit.

2. The learned Government Pleader takes notice for R1 to R4. Issue notice by speed post to R5. The petitioner shall endeavour to serve notice on R5 through email/whatsapp message.

Considering that the recoveries are being ordered after a considerable time after the grant of Time Bound Higher Grade, there will be an interim order staying recovery of any amount from the petitioner pending disposal of this writ petition.

**GOPINATH P.
JUDGE**

APPENDIX

PETITIONERS EXTS:

EXT. P1:- TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER DATED 06.06.1984

EXT.P2:- TRUE COPY OF THE STATEMENT OF FIXATION OF PAY OF THE PETITIONER DATED 06.06.1984 SANCTIONED IN G.O. (P) NO.515/85/FIN DATED 16.09.85

EXT. P3:- TRUE COPY OF THE STATEMENT OF FIXATION OF PAY OF THE PETITIONER SANCTIONED IN G.O. (P) NO.600/93/FIN DATED 25.09.1993 AND G.O. (P) NO. 930/93(2)/FIN DATED 08.12.1993

EXT. P4:- TRUE COPY OF THE STATEMENT OF FIXATION OF PAY OF THE PETITIONER IN THE HIGHER GRADE DATED 06.06.1994

EXT. P5:- TRUE COPY OF THE STATEMENT OF FIXATION OF PAY OF THE PETITIONER SANCTIONED IN G.O. (P) NO. 3000/98/FIN DATED 25.11.1998

EXT. P6:- TRUE COPY OF THE STATEMENT OF FIXATION OF PAY OF THE PETITIONER FTER SUCCESSFUL COMPLETION OF ACCOUNTANCY TEST DATED 01.07.2002

EXT.P7:- TRUE COPY OF THE STATEMENT OF FIXATION IN THE SENIOR GRADE SANCTIONED TO THE PETITIONER DATED 01.07.02

EXT. P8:- TRUE COPY OF THE STATEMENT OF FIXATION OF PAY OF THE PETITIONER IN THE SELECTION GRADE, SANCTIONED IN G.O. (P) NO.145/2006/FIN DATED 25.03.06

EXT. P9:- TRUE COPY OF THE STATEMENT OF FIXATION OF PAY OF THE PETITIONER SANCTIONED IN G.O. (P) NO. 85/2011/FIN DATED 26.02.2011

EXT. P10:- TRUE COPY OF THE FOURTH TIME BOUND HIGHER GRADE PAY FIXATION STATEMENT DATED 01.07.2011

SANCTIONED IN G.O. (P) NO 85/2011/FIN DATED
26.02.2011

EXT. P11:- TRUE COPY OF THE STATEMENT OF FIXATION OF PAY
OF THE PETITIONER SANCTIONED IN G.O. (P) NO
07/2016/ FIN DATED 20.01.2016

EXT. P12:- TRUE COPY OF THE AUDIT OBJECTION NO.
E3/13263/2018 RAISED BY THE 3RD RESPONDENT
TO THE 4TH RESPONDENT DATED 05.07.2018

EXT. P13:- TRUE COPY OF THE COMMUNICATION NO.
E3/13263/2018 DATED 22.07.2019 ISSUED BY
THE 3RD RESPONDENT

EXT. P14:- TRUE COPY OF THE REPRESENTATION FILED BY
THE PETITIONER ALONG WITH THE FORWARDING
LETTER ISSUED BY THE 5TH RESPONDENT DATED
01.11.2019

EXT. P15:- TRUE COPY OF THE JUDGMENT DATED 03.12.2019
IN W.P(C) 32862/2019

EXT. P16:- TRUE COPY OF THE ORDER NO. E3/13263/
18.K.DIS. ISSUED BY THE 3RD RESPONDENT
DATED 15.01.2020