

Kerala High Court

V. Shyamala vs State Of Kerala on 11 March, 2009

IN THE HIGH COURT OF KERALA AT ERNAKULAM

WP(C).No. 7527 of 2009(I)

1. V. SHYAMALA,

... Petitioner

Vs

1. STATE OF KERALA, REPRESENTED BY ITS

... Respondent

2. THE DEPUTY DIRECTOR OF EDUCATION,

3. THE HEADMASTER,

For Petitioner :SRI.D.KISHORE

For Respondent : No Appearance

The Hon'ble MR. Justice P.N.RAVINDRAN

Dated :11/03/2009

O R D E R

P.N.RAVINDRAN, J.

W.P.(C) No.7527 OF 2009

Dated this the 11th day of March, 2009

JUDGMENT

Heard Sri.D.Kishore, the learned counsel appearing for the petitioner and Sri.A.J.Varghese, the learned Government Pleader appearing for the respondents.

2. The petitioner is a Specialist Teacher presently working in Government High School, Kachani in Thiruvananthapuram District. She belongs to Chempazhanthi in Thiruvananthapuram District.

After the petitioner entered service, she met with an accident resulting in injuries to her spinal cord. In view of the injuries sustained by her, the petitioner was given a transfer to Sreekariyam shortly after the accident and she continued at Sreekariyam till October, 2006 when she was transferred back to Government High School, Kachani. Government High School, Kachani is 35 kms. away from Chempazhanthi.

3. The petitioner states that on account of the injuries sustained by her, it is difficult for her to travel to Kachani and back to Chempazhanthi everyday and that she had therefore W.P.(C) No.7527 of 2009 submitted Ext.P4 application requesting that during the general transfer for the year 2008-09, she may be transferred either to Government Vocational Higher Secondary School for Girls, Pettah or Government Higher Secondary School for Boys, Pettah or Government U.P.School, Kattayikonam. The said request was however not considered, it is submitted. The petitioner states that she has now submitted Ext.P5 representation dated 16.02.2009 to the Deputy Director of Education, Thiruvananthapuram requesting that she may be transferred to Manackal L.P.S., Chempazhanthy or Kattayikonam UPS or Medical College H.S.S./UPS or Government Girls H.S.S. Pettah, where vacancies exist. In this writ petition, the petitioner inter alia prays for a direction to the Deputy Director of Education, Thiruvananthapuram to consider the request made by her in Ext.P5 sympathetically and to give her a suitable posting in any one of the schools named therein.

4. The pleadings disclose that taking note of the injuries sustained by the petitioner, she was initially given a transfer to Sreekariyam in the year 1991. However, she was again W.P.(C) No.7527 of 2009 transferred back to Kachani in October, 2006. In view of the fact that the petitioner is suffering from the after effects of the injury to her spinal cord, I am of the opinion that the request made by the petitioner in Ext.P5 merits sympathetic consideration at the hands of the Deputy Director of Education, Thiruvananthapuram. I accordingly direct the Deputy Director of Education, Thiruvananthapuram to consider the request made by the petitioner in Ext.P5 on sympathetic grounds and take a decision thereon while effecting general transfers for the year 2009-2010.

The writ petition is disposed of as above.

P.N.RAVINDRAN JUDGE pac