



2025:KER:30432

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

MONDAY, THE 7TH DAY OF APRIL 2025 / 17TH CHAITHRA, 1947

WP(C) NO. 14371 OF 2025

PETITIONER:

**THE CORPORATE MANAGER (FR.JOY ADAMBUKULAM),
CORPORATE EDUCATIONAL AGENCY,
ARCHDIOCESE OF THRISSUR
AGED 55 YEARS
S/O A.L.ROCKY ADAMBUKULAM,
(RESIDING AT SACRED HEART CHURCH,
CHEMBUKAVU, THRISSUR DISTRICT),
PIN - 680005**

**BY ADVS.
V.A.MUHAMMED
M.SAJJAD**

RESPONDENTS:

- 1 THE STATE OF KERALA
REPRESENTED BY ITS PRINCIPAL SECRETARY TO
GOVERNMENT,
GENERAL EDUCATION DEPARTMENT,
SECRETARIAT ANNEX II,
THIRUVANANTHAPURAM, PIN - 695001**
- 2 THE DIRECTOR OF GENERAL EDUCATION
(HIGHER SECONDARY) NEW BUILDING,
ULLOOR LANE, JAGATHY,
THIRUVANANTHAPURAM, PIN - 695014**



2025:KER:30432

WP(C) NO.14371 of 2025

2

- 3 THE DIRECTOR OF GENERAL EDUCATION
JAGATHY, THIRUVANANTHAPURAM,
PIN - 695014
- 4 THE REGIONAL DEPUTY DIRECTOR OF HIGHER
SECONDARY EDUCATION
OFFICE OF THE REGIONAL DEPUTY DIRECTOR OF
HIGHER SECONDARY EDUCATION,
ERNAKULAM, PIN - 682030
- 5 THE DEPUTY DIRECTOR OF EDUCATION
AYYANTHOLE, THRISSUR DISTRICT,
PIN - 680003
- 6 THE DISTRICT EDUCATIONAL OFFICER
CHEMBUKKAV, THRISSUR DISTRICT,
PIN - 680020
- 7 THE DISTRICT EDUCATIONAL OFFICER
CHAVAKKAD, THRISSUR DISTRICT,
PIN - 680506
- 8 THE DISTRICT EDUCATIONAL OFFICER
IRIJALAKKUDA, THRISSUR DISTRICT,
PIN - 680121
- 9 THE ASSISTANT EDUCATIONAL OFFICER
IRINJALAKUDA, THRISSUR DISTRICT,
PIN - 680121
- 10 THE ASSISTANT EDUCATIONAL OFFICER
KUNNAMKULAM, THRISSUR DISTRICT,
PIN - 680561
- 11 THE ASSISTANT EDUCATIONAL OFFICER
KUNNAMKULAM, THRISSUR DISTRICT,
PIN - 680503
- 12 THE ASSISTANT EDUCATIONAL OFFICER
CHAVAKKAD, THRISSUR DISTRICT, PIN - 680506



2025:KER:30432

WP(C) NO.14371 of 2025

3

- 13 THE ASSISTANT EDUCATIONAL OFFICER
VADAKKARA, THRISSUR DISTRICT,
PIN - 673101
- 14 THE ASSISTANT EDUCATIONAL OFFICER
THRISSUR WEST,
THRISSUR DISTRICT, PIN - 680001
- 15 THE ASSISTANT EDUCATIONAL OFFICER
THRISSUR EAST, THRISSUR DISTRICT,
PIN - 680005
- 16 THE ASSISTANT EDUCATIONAL OFFICER
MULLASSERY, THRISSUR DISTRICT,
PIN - 680509
- 17 THE ASSISTANT EDUCATIONAL OFFICER
VALAPPAD, THRISSUR DISTRICT,
PIN - 680567

SRI.P. SANTHOSH KUMAR,SPL.GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 07.04.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:**



2025:KER:30432

WP(C) NO.14371 of 2025

4

JUDGMENT

Dated this the 7th day of April, 2025

The petitioner is the Corporate Manager of the Corporate Educational Agency, Arch Diocese of Thrissur.

2. The Rights of Persons with Disability Act, 2016 requires 4% reservation in appointments for differently abled hands. It is made applicable to the Aided Schools as well. The turn of appointments is also prescribed as 1, 26, 51, and 76 for differently abled hands. In compliance, the petitioner has set apart posts and vacancies for PwD candidates.

3. It is evident from Exts.P3 to P9 that the petitioner has complied with the requirements covered by Exts.P1 and P2. Employment Exchange concerned is busy with the processing of candidates for the posts contained in Exs.P3 to P9. Other appointments effected by the petitioner against



2025:KER:30432

WP(C) NO.14371 of 2025

5

regular posts under the Management are not processed by the Educational Officer concerned for want of appointment of qualified differently abled hands.

4. In similar circumstances, the NSS Management moved the Apex Court and got Ext.P10 order dated 04.03.2025. Consequently, the Government issued Ext.P11 order dated 17.03.2025. But it would appear that Ext.P11 is applicable only in respect of the Schools under the NSS Management. The benefits flowing from Exts.P10 and P11 ought to have been made applicable in respect of the appointments under the Managements that are similarly situated.

5. In the light of the judgments in **Central Finance and Investments and another v. Secretary, Kothamangalam Municipality and others** [2021 (6) KHC 59] and **Somukuttan Nair v. State of Kerala** [1997 KHC 114], the benefits flowing from Exts.P10 and P11 cannot be denied



2025:KER:30432

WP(C) NO.14371 of 2025

6

to the petitioner. In the circumstances, the petitioner filed Ext.P15 representation before the 1st respondent, which is pending consideration, contends the petitioner.

6. I have heard the learned counsel for the petitioner and the learned Special Government Pleader representing the respondents.

7. I find that in similar circumstances, the NSS Management approached the Hon'ble Apex Court and the Apex Court has passed order dated 04.03.2025. The Government is taking a stand that the order will apply only to the parties to the SLP before the Hon'ble Apex Court. The petitioner would contend that as far as the claims of persons like the petitioner who did not approach the Court for redressal of their grievances are concerned there is absolutely no justification for the Government to deny consequential benefits to similarly situated persons.



2025:KER:30432

WP(C) NO.14371 of 2025

7

8. Be that as it may, at this stage, I do not deem it necessary to adjudicate the issue, as the petitioner has submitted Ext.P15 representation before the Government. It would be sufficient if the Government considers Ext.P15 representation in the light of the directions contained in Exts.P10 and P11.

The writ petition is therefore disposed of directing the 1st respondent to consider and pass orders on Ext.P15 representation submitted by the petitioner within a period of four months, in the light of Exts.P10 and P11.

Sd/-

N.NAGARESH
JUDGE

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2025:KER:30432

WP(C) NO.14371 of 2025

APPENDIX OF WP(C) 14371/2025

PETITIONER'S EXHIBITS

Exhibit P-1	TRUE COPY OF THE G.O.(P).NO.12/2019/SJD 31.10.2019	DATED
Exhibit P-2	TRUE COPY OF THE (MS.).NO.111/2022/GEDN 25.06.2022	G.O. DATED
Exhibit P-3	TRUE COPY OF THE REQUISITION WITH REGARD TO THE POST OF HST (HINDI)	
Exhibit P-4	TRUE COPY OF THE REQUISITION WITH REGARD TO THE POST OF DRAWING TEACHER DATED 16.08.2024	
Exhibit P-4(a)	TRUE COPY OF THE REQUISITION WITH REGARD TO THE POST OF NEEDLE WORK TEACHER DATED 16.08.2024	
Exhibit P-5	TRUE COPY OF THE REQUISITION WITH REGARD TO THE POST OF HST (PHYSICAL SCIENCE) DATED 16.08.2024	
Exhibit P-6	TRUE COPY OF THE REQUISITION WITH REGARD TO THE POST OF HSST (ENGLISH) DATED 15.04.2023	
Exhibit P-7	TRUE COPY OF THE REQUISITION WITH REGARD TO THE POST OF HSST (POLITICAL SCIENCE) DATED 15.04.2023	
Exhibit P-8	TRUE COPY OF THE REQUISITION WITH REGARD TO THE POST OF HSST JR. (MATHEMATICS) DATED 15.04.2023	



2025:KER:30432

WP(C) NO.14371 of 2025

9

Exhibit P-9	TRUE COPY OF THE REQUISITION WITH REGARD TO THE POST OF HSST JR. CHEMISTRY DATED 15.04.2023
Exhibit P-9(a)	TRUE COPY OF THE REQUISITION WITH REGARD TO THE POST OF FULL TIME MENIAL
Exhibit P-9(b)	TRUE COPY OF THE REQUISITION WITH REGARD TO THE POST OF JUNIOR ARABIC (FULL TIME)
Exhibit P-9(c)	TRUE COPY OF THE REQUISITION WITH REGARD TO THE POST OF JUNIOR SANSKRIT (PT)
Exhibit P-9(d)	TRUE COPY OF THE REQUISITION WITH REGARD TO THE POST OF LPST
Exhibit P-9(e)	TRUE COPY OF THE REQUISITION WITH REGARD TO THE POST OF UPST
Exhibit P-9(f)	TRUE COPY OF THE NON-AVAILIBILITY CERTIFICATE (AUTISM, INTELLECTUAL DISABILITY, SPECIFIC LEARNING DISABILITY, MENTAL ILLNESS & MULTIPLE DISABILITIES) VIDE NO.SEEDA-EKM /241/2024-CI DATED 24.02.2025
Exhibit P-9(g)	TRUE COPY OF THE NON-AVAILIBILITY CERTIFICATE (BLINDNESS & LOW VISION) VIDE NO.SEEDA-EKM/241/2024-CI DATED 24.02.2025
Exhibit P-9(h)	TRUE COPY OF THE NON-AVAILIBILITY CERTIFICATE (DEAF & HARD OF HEARING) VIDE NO.SEEDA-EKM/241/2024-CI DATED 24.02.2025
Exhibit P-9(i)	TRUE COPY OF THE NON-AVAILIBILITY CERTIFICATE (BLINDNESS & LOW VISION)



2025:KER:30432

WP(C) NO.14371 of 2025

10

**VIDE NO.SEEDA-EKM/241/2024-CI DATED
24.02.2025**

**Exhibit P-9(j) TRUE COPY OF THE NON-AVAILIBILITY
CERTIFICATE (DEAF & HARD OF HEARING)
VIDE NO.SEEDA-EKM/241/2024-CI DATED
24.02.2025**

**Exhibit P-10 TRUE COPY OF THE ORDER IN CIVIL APPEAL
NO.SLP NO.11373/2024 DATED 04.03.2025**

**Exhibit P-11 TRUE COPY OF THE G.O.(MS.)
NO.43/2025/GEDN DATED 17.03.2025**

**Exhibit P-12 TRUE COPY OF THE DECISION REPORTED IN
2021 (6) KHC 59 (CENTRAL FINANCE &
INVESTMENTS ANDANOTHER V. SECRETARY,
KOTHAMANGNALAM MUNICIPALITY AND
OTHERS)DATED 01.10.2021**

**Exhibit P-13 TRUE COPY OF THE DECISION REPORTED IN
1997 KHC 114(SOMUKUTTAN NAIR V. STATE
OF KERALA)DATED 18.02.1997**

**Exhibit P-14 TRUE COPY OF THE G.O.
(MS.)NO.101/2023/GEDN DATED 18.07.2023**

**Exhibit P-15 TRUE COPY OF THE REPRESENTATION
SUBMITTED BY THE PETITIONER BEFORE THE
GOVERNMENT DATED 22.03.2025**