



IN THE KERALA ADMINISTRATIVE TRIBUNAL AT  
THIRUVANANTHAPURAM  
(ADDITIONAL BENCH, ERNAKULAM)

Present:

The Hon'ble Mr. Justice C.K.Abdul Rehim, Chairman  
&  
The Hon'ble Dr Pradeep Kumar, Administrative Member

Dated this the 12th of March 2025

OA[EKM]-405/2025

**Applicant(s):**

- 1) Santhosh Kumar S., aged 48 years, S/o. Sivasankaran Chettiyar, HSST (Political Science), Govt. HSS for Girls, Kochi, Ernakulam, Pin - 682 016., Residing at Thekkumalakunnel, Randar P.O., Muvattupuzha, Ernakulam, PIN-686 673, Mobile-9447840371, Kerala

By Advs. ANNAPOORNA L

**Respondent(s):**

- 1) State of Kerala, represented by the Secretary to Government, General Education Departement, Secretariat, Thiruvananthapuram, Pin - 695 001,, Kerala
- 2) Director of General Education (Higher Secondary Department), Directorate of General Education (HSE-Wing), Housing Board Building, Thiruvananthapuram - 695 001,, Kerala
- 3) Principal, Government Sanskrit HSS, Thrippunithura, Ernakulam, Pin - 682 301,, Kerala
- 4) Shintu Zacharias, HSST (Political Science), Government Model HSS, Palakkuzha, Near Koothattukulam, Ernakulam, Pin - 686 662,, Kerala

GOVERNMENT PLEADER

Original Application praying inter alia that in the circumstances stated in the application, the Tribunal may be pleased to stay the operation and implementation of and all proceedings pursuant to Annexures-A1 so as to enable the applicant to continue at Govt. HSS for Girls, Kochi, pending disposal of the Original Application.

The Original Application came up for admission and upon perusing the application and upon hearing the arguments of Adv. Annapoorana L, Counsel for Applicant, Government Pleader for Respondents 1 to 3, this Tribunal passed the following:

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JUSTICE C.K.ABDUL REHIM, CHAIRMAN  
&  
DR.PRADEEP KUMAR, ADMINISTRATIVE MEMBER

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O.A.(EKM) Nos.405 & 407 of 2025  
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Dated this the 12th day of March, 2025

ORDER

Justice C.K.AbdulRehim, Chairman

Higher Secondary School Teachers working at the Government Higher Secondary School for Girls, Kochi and the Government Sanskrit Higher Secondary School, Thripunithura are the applicants in the above Original Applications. They are challenging Annexure A1 order issued by the 2<sup>nd</sup> respondent, dated 11.3.2025, transferring them to two Higher Secondary Schools in Kozhikode District. From Annexure A1 it is evident that the transfer is ordered in order to accommodate teachers who were found excess/thrown out, in the staff fixation of the academic year 2023-2024 and under the guise that certain batches of Higher Secondary courses were shifted to different Higher Secondary Schools situated in Malabar area, from various other Districts.

2. *Prima facie*, this Tribunal is at a loss to understand the logic behind transferring regular teachers in order to accommodate excess/thrown out teachers. Further, it is not clear as to how the excess/thrown out teachers were permitted to be continued during the academic years 2023-2024 and 2024-2025.

3. Government Pleader submitted that in a batch of Original Applications, OA.No.1300/2024 and connected cases, this Tribunal at the Principal Bench at Thiruvananthapuram had passed an interim order on 3.3.2025, raising a query as to whether the general transfer of the year 2025-2026 was effected or not; and if not as to why the proceedings shall not be initiated. It was also requested as to whether the general transfer of 2024-2025 and 2025-2026 can be done simultaneously. It is pertinent to notice that, academic year 2024-2025 will come to a close within about 15 days, as on 31.3.2025. Therefore there is no meaning in effecting any general transfer of the said year. Further it is brought to our notice that, even staff fixation with respect to the year 2024-2025 is not finalized yet.

Therefore there is absolutely no justification in ordering the transfer of regular employees, at the fag end of the academic year, for the purpose of accommodating the excess/thrown out teachers, who were already found excess as early as in the academic year 2023-2024.

4. The official respondents shall file reply statement within a period of 3 weeks. Issue notice to the party respondents in both cases through speed post.

Post on 7.4.2025.

Till then, implementation of Annexure A1 order impugned in both cases shall be kept in abeyance.

Hand over.

Sd/- Justice C.K.Abdul Rehim (Chairman)

Sd/- Dr.Pradeep Kumar (Administrative Member)

//True Copy//



  
Assistant Registrar (Judicial)

Annexure A1:- True copy of HSE/2589/2025-Ad C3 dated 11.03.2025 of the 2nd respondent.

dya/-

*[Handwritten signature]*