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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON

TUESDAY, THE 15TH DAY OF SEPTEMBER 2026 / 24TH BHADRA, 1948

WP(C) NO. 36236 OF 2022

PETITIONER:

JISHA THOMAS
AGED 40 YEARS
W/O NISHU SOMAN, THADATHIPPARAMBIL HOUSE
MANNAYKANADU P.O, KOTTAYAM - 686633

BY ADV SHRI.DAJISH JOHN

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY REVENUE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 TAHSILDAR,
TALUK OFFICE, MEENACHIL, KOTTAYAM DISTRICT, KERALA- 686575
- 3 VILLAGE OFFICER,
KURICHITHANAM, KOTTAYAM DISTRICT, KERALA-686633
- 4 PRINCIPAL AGRICULTURAL OFFICER
COLLECTORATE, KOTTAYAM, KERALA- 686002
- 5 SENIOR AGRICULTURAL OFFICER
STATE SEED FARM, KOZHA, KURAVILANGAD, KERALA-686633
- 6 THE EMPLOYMENT OFFICER,
EMPLOYMENT EXCHANGE OFFICE, MINI CIVIL STATION, PALAI,
KOTTAYAM PIN-686575

SMT. MINTU CHERIAN, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
15.09.2026, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



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J U D G M E N T

The petitioner belongs to the Christian religion, under the Roman Catholic community, and she is married to Sri.Nishu Soman, who belongs to the Hindu religion. The petitioner sought for appointment to the post of farm employee under the 4th respondent herein. Pursuant to Ext.P4, the petitioner has been appointed to the afore post under the reservation category “മിശ്ര വിവാഹിത”. The petitioner has also been appointed on the basis of Ext.P4. However, the petitioner required to produce documents in support of the claim of reservation within the prescribed period. Therefore, the petitioner sought to place reliance on Ext.P5 certificate issued by the Tahsildar, Vaikom, dated 01.02.2007, which certified that the petitioner is married to Nishu Soman as noticed above, and such marriage is an “inter caste marriage”. Though the petitioner relied on Ext.P5 issued as above, the 5th respondent insisted on producing a latest certificate, on the basis of which Ext.P6 application was presented before the Tahsildar seeking issuance of “inter caste marriage certificate”. On the basis of



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this, Ext.P7 has been issued by the Tahsildar seeking to reject the application at Ext.P6 since, according to the Tahsildar the petitioner and her husband belong to two different religions, the same cannot be considered to be an "inter caste marriage". However, later, the Tahsildar has issued Ext.P8 dated 31.10.2022, certifying that the petitioner's husband belongs to the Hindu religion – under Pulaya category and the petitioner belongs to Christian religion under Roman Catholic category. Even the afore certificate at Ext.P8 not being accepted by the 5th respondent, the petitioner has filed the captioned writ petition.

2. On 14.11.2022, this Court directed the 5th respondent to accept Ext.P8 certificate provisionally and allow the petitioner to take charge of the office pursuant to the appointment letter, subject to the result of the writ petition. It is pointed out that on the basis of the afore, the petitioner has taken charge, however, regularization of the appointment has not been granted.

3. I have heard Sri.Dajish John, the learned counsel for



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the petitioner, Smt.Mintu Cherian, the learned Government Pleader for the respondents.

4. As already noticed, the petitioner's appointment was under the category "മിശ്ര വിവാഹിത". The petitioner has sought to rely on Exts.P5 as well as P8 in support of the afore claim for reservation. The respondents have raised the contention to the effect that Exts.P5 as well as P8 are only showing that the petitioner is an "inter-caste married person", which is not acceptable for extending an appointment pursuant to Ext.P4.

5. The learned Government Pleader also sought to place reliance on Clause 246 of the Village Office Manual, as per which only an "inter-caste marriage certificate" could be issued. She also brought to the notice of the Court that under Clause 246, a marriage between persons of two different religions is not entitled to seek an inter-caste marriage certificate. However, in my opinion, as already noticed, since the petitioner's appointment is under the category of "മിശ്ര വിവാഹിത", the benefits thereunder require to be extended on the basis of Exts.P5 as well as P8 since those certificates certify



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that the petitioner belongs to the Christian religion and her husband belongs to the Hindu religion. In the opinion of this Court, an inter-religion marriage also requires to be taken note of while considering the entitlement pursuant to the benefits considered and extended pursuant to Ext.P4 order.

Hence, this writ petition would stand disposed of, directing the 5th respondent to regularise the appointment of the petitioner on the basis of Exts.P5/P8. Needless to say that the consequential benefits require to be extended to the petitioner forthwith.

Sd/-

HARISANKAR V. MENON**JUDGE**

AP



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APPENDIX OF WP(C) NO. 36236 OF 2022**PETITIONER EXHIBITS**

Exhibit P1	TRUE COPY OF THE MARRIAGE CERTIFICATE DATED 21.02.2004 ISSUED BY THE MARRIAGE OFFICER, THALAYOLAPPARAMBU
Exhibit P2	TRUE PHOTOCOPY OF MINORITY CERTIFICATE DATED 07.09.2022 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER
Exhibit P3	TRUE PHOTOCOPY OF COMMUNITY CERTIFICATE OF THE PETITIONER'S HUSBAND DATED 28.02.2009.
Exhibit P4	TRUE PHOTOCOPY OF APPOINTMENT LETTER DATED 21.10.2022 ISSUED BY THE 4TH RESPONDENT
Exhibit P5	TRUE PHOTOCOPY OF INTERCASTE MARRIAGE CERTIFICATE DATED 01.02.2007 ISSUED BY THE TAHSILDAR, VAIKOM
Exhibit P6	TRUE PHOTOCOPY OF APPLICATION GIVEN BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 27.10.2022
Exhibit P7	THE TRUE PHOTOCOPY OF ORDER DATED 29.10.2022 PASSED BY THE 2ND RESPONDENT REJECTING THE PETITIONER'S APPLICATION
Exhibit P8	THE TRUE PHOTOCOPY OF CERTIFICATE DATED 31.10.2022 ISSUED BY THE 2ND RESPONDENT

RESPONDENT ANNEXURES

Annexure R4(a)	TRUE COPY THE RELEVANT PAGES OF VILLAGE OFFICE MANUAL AND ITS ENGLISH TRANSLATION
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