

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR.JUSTICE K.HARILAL

FRIDAY, THE 9TH DAY OF JANUARY 2015/19TH POUSHA, 1936

WA.No. 1787 of 2014 () IN WP(C).17363/2013

AGAINST THE ORDER/JUDGMENT IN WP(C) 17363/2013 of HIGH COURT
OF KERALA DATED 08-08-2014

APPELLANT(S) : /PETITIONERS

1. JOSE DENNIS P.WILLIAM, AGED 39 YEARS,
S/O.WILLIAM, PANANJIKAL HOUSE, MOOLAMKUZHI,
MUNDAMVELLI P.O., KOCHI - 7, ERNAKULAM DISTRICT.
2. M.M.AUGUSTINE, AGED 44 YEARS, S/O.MICHAEL,
MANAPARAMBIL, LORETTO CHURCH LANE, MOOLAMKUZHI,
KOXHI - 682 507, ERNAKULAM DISTRICT.
3. FRANCIS PERERA, S/O.JOSEPH, PERERA,
AGED 59 YEARS, CHAKRASSERY HOUSE,
LORETTO CHURCH LANE, MOOLAMKUZHI,
KOCHI - 682 507.

BY ADV. SRI.MATHEW JAMES

RESPONDENT(S) : /RESPONDENTS

1. THE SECRETARY,
DEPARTMENT OF GENERAL EDUCATION, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
2. THE DIRECTOR OF PUBLIC INSTRUCTION,
OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION,
JAGATHI, THIRUVANANTHAPURAM.
3. THE DEPUTY DIRECTOR OF EDUCATION,
OFFICE OF THE DEPUTY DIRECTOR OF EDUCATION,
COLLECTORATE, KAKKANAD, KOCHI, ERNAKULAM DISTRICT.
4. THE DISTRICT EDUCATIONAL OFFICER,
OFFICE OF THE DISTRICT EDUCATIONAL OFFICER,
ERNAKULAM.

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5. THE HEAD MASTER,
LORETTO ANGLO INDIAN HIGH SCHOOL, MOOLAMKUZHI,
MUNDAMVELLI P.O., KOCHI - 682 007,
ERNAKULAM DISTRICT.
6. THE MANAGER, LORETTO ANGLO INDIAN HIGH SCHOOL,
CENTRAL BOARD OF ANGLO INDIAN EDUCATION,
PERUMANOOR, THEVARA, KOCHI, ERNAKULAM DISTRICT.
7. THE SECRETARY, CORPORATION OF COCHIN, ERNAKULAM.
8. THE PARISH PRIEST, LORETTO CHURCH,
MOOLAMKUZHI, MUNDAMVELLI P.O.,
KOCHI-7, ERNAKULAM DISTRICT.

R7 BY ADV. SRI.MILLU DANDAPANI,SC,COCHIN CORPORATION
R5, R6 & R8 BY SRI.ABRAHAM MATHEW (VETTOOR)
R1 TO R4 BY SRI.T.RAMPRASAD UNNI,
SR. GOVERNMENT PLEADER
R7 BY SRI.P.K.SOYUZ,SC,COCHIN CORPORATION

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 09-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN &
K.HARILAL, JJ.

.....
W.A.No.1787 of 2014
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Dated this the 9th day of January, 2015.

J U D G M E N T

Thottathil B.Radhakrishnan, J.

We have heard the learned counsel for the appellants.

This appeal is against the judgment of the learned single Judge refusing to entertain a writ petition. The appellants/writ petitioners sought interference with Ext.P10 order of the Government by which it was decided to upgrade the school. For one thing, that order is dated 29.05.2001. More importantly, the second petitioner claims to be the president of the parent teacher association and his son is stated to be studying in that school. One fails to understand why he is not interested in having the school upgraded. If there is lack of facilities and if the facilities are not up to the bench mark of the provisions of the Kerala Education Act and Rules or different directions of the Government and other authorities as regards facilities of the school, the positive and

proactive approach that a parent or president of the parent teacher association should take is to ensure that facilities are brought home to the school rather than try to scuttle development of the school, which is shown to have been established way back in 1945. The writ petition was thoroughly misplaced. The learned single Judge was fully justified in dismissing the same, however, magnanimously with no order of costs. We would have been persuaded to impose costs in this appeal, if the respondents were notified of this appeal. However, that not having been done, we dissuade ourselves from doing so and dismiss this writ appeal, at the threshold.

(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

(K.HARILAL, JUDGE)

jg