

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

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

WP(C).No. 33 of 2015 (D)

PETITIONER :

**V.M.KARIM, PRINCIPAL,
MUHAMMED ABDULRAHIMAN SAHIB MEMORIAL HIGHER
SECONDARY SCHOOL (MASMHSS),
VENMANAD, PAVARATTI P.O, THRISSUR-680 507**

BY ADV. SRI.M.A.ABDUL HAKHIM

RESPONDENT(S):

- 1. THE STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
GENERAL EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM PIN-695 001.**
- 2. ORGANIZING COMMITTEE,
KERALA SCHOOL KALOLSAVAM 2014-2015,
REPRESENTED BY ITS GENERAL CO-ORDINATOR/DIRECTOR
OF PUBLIC INSTRUCTIONS,GENERAL EDUCATION DEPARTMENT,
THIRUVANANTHAPURAM, PIN-695 001.**
- 3. DISTRICT LEVEL APPEAL COMMITTEE OF THE
KERALA SCHOOL KALOLSAVAM - THRISSUR DISTRICT
REPRESENTED BY ITS CHAIRMAN/THE DEPUTY
DIRECTOR OF EDUCATION,THRISSUR - 680 003.**

R1 TO R3 BY SR GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 - A PHOTOSTAT COPY OF THE CERTIFICATE ISSUED BY THE ORGANIZING COMMITTEE OF THE MULLASSERRY SUB DISTRICT, KERALA SCHOOL KALOLSAVAM 2014-15 TO MOHAMMED IRSHAD K.C. DATED 18/11/2014.
- EXT.P2 - A PHOTOSTAT COPY OF THE CERTIFICATE ISSUED BY THE ORGANIZING COMMITTEE OF THE MULLASSERRY SUB DISTRICT, KERALA SCHOOL KALOLSAVAM 2014-15 TO MOHAMMED ILLYAS C.S. DATED 18/11/2014.
- EXT.P3 - A PHOTOSTAT COPY OF THE CERTIFICATE ISSUED BY THE ORGANIZING COMMITTEE OF THE MULLASSERRY SUB DISTRICT, KERALA SCHOOL KALOLSAVAM 2014-15 TO MUHAMMED SHAFEEK.M.S. DATED 18/11/2014.
- EXT.P4 - A PHOTOSTAT COPY OF THE CERTIFICATE ISSUED BY THE ORGANIZING COMMITTEE OF THE MULLASSERRY SUB DISTRICT, KERALA SCHOOL KALOLSAVAM 2014-15 TO AJMAL ROSHAN DATED 18/11/2014
- EXT.P5 - A PHOTOSTAT COPY OF THE CERTIFICATE ISSUED BY THE ORGANIZING COMMITTEE OF THE MULLASSERRY SUB DISTRICT, KERALA SCHOOL KALOLSAVAM 2014-15 TO MOHAMMED SALIH M.M. DATED 18/11/2014.
- EXT.P6 - A PHOTOSTAT COPY OF THE CERTIFICATE ISSUED BY THE ORGANIZING COMMITTEE OF THE MULLASSERRY SUB DISTRICT, KERALA SCHOOL KALOLSAVAM 2014-15 TO AMEER SHUHAIB V.M. DATED 18/11/2014.
- EXT.P7 - A PHOTOSTAT COPY OF THE CERTIFICATE ISSUED BY THE ORGANIZING COMMITTEE OF THE MULLASSERRY SUB DISTRICT, KERALA SCHOOL KALOLSAVAM 2014-15 TO MUHAMMED MULJIM N.K. DATED 18/11/2014
- EXT.P8 - A PHOTOSTAT COPY OF THE CERTIFICATE ISSUED BY THE ORGANIZING COMMITTEE OF THE MULLASSERRY SUB DISTRICT, KERALA SCHOOL KALOLSAVAM 2014-15 TO MOHAMMED ALI V.M. DATED 18/11/2014.
- EXT.P9 - A PHOTOSTAT COPY OF THE CERTIFICATE ISSUED BY THE ORGANIZING COMMITTEE OF THE MULLASSERRY SUB DISTRICT, KERALA SCHOOL KALOLSAVAM 2014-15 TO HASHIR N.P. DATED 18/11/2014

WP(C).NO.33/2015

- EXT.P10 - A PHOTOSTAT COPY OF THE CERTIFICATE ISSUED BY THE ORGANIZING COMMITTEE OF THE MULLASSERRY SUB DISTRICT, KERALA SCHOOL KALOISAVAM 2014-15 TO RAMSHAD N.K. DATED 18/11/2014
- EXT.P11 - A PHOTOSTAT COPY OF THE ORDER ISSUED BY THE 3RD RESPONDENT DATED 8/12/2014.
- EXT.P12 - A PHOTOSTAT COPY OF THE CERTIFICATE ISSUED BY THE ORGANIZING COMMITTEE OF THE KERALA SCHOOL KALOISAVAM 2013-14 TO MOHAMMED IRSHAD K.C. DATED 25/1/2014.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

P.R. RAMACHANDRA MENON, J.

=====

W.P.(C). No. 33 of 2015

Dated this the 9th day of January, 2015

JUDGMENT

The petitioner's team participated in the event 'Arabanamuttu' in the District Level School Kalolsavam and could secure only the second place with A Grade. The appeal was rejected by the Appeal Committee as per Ext.P11 order allegedly without considering the contention that the performance was affected by the defective stage setting and hence the writ petition.

2. The learned Government Pleader submits on instructions that, there is no pith of substance in the contentions raised. The 1st prize winner got 249 marks where as the petitioner's team could secure only 244 marks, thus there is a difference of 5 marks. The allegation, with regard to the defective stage is wrong and that it was applicable to all participants. Further, there was no such report from the stage manager.

3. After going through the pleadings and proceedings and the submissions of the learned Government Pleader, this Court finds that the petitioner has not established any tenable ground to call for interference. Accordingly, interference is declined and the writ petition is dismissed.

**P.R. RAMACHANDRA MENON,
JUDGE.**