

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 19361

WP(C).No. 75 of 2015 (H)

PETITIONER :

**ATHULYA.A.S. (MINOR),
REPRESENTED BY THROUGH HER FATHER SURESHBABU K.,
AGED 46 YEARS,VANDANAM, AYAPARAMPU,
CHERUTHANA P.O., ALAPPUZHA- 690 517.**

**BY ADVS.SRI.P.SREEKUMAR
SRI.S.GANESH**

RESPONDENT(S):

- 1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
GENERAL EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001**
- 2. THE CHAIRMAN,
SUB DISTRICT LEVEL APPELLATE COMMITTEE,
HARIPAD SUB DISTRICT, THE DISTRICT EDUCATION OFFICER,
ALAPPUZHA, MEDICAL COLLEGE JN, ALAPPUZHA- 688 005.**
- 3. THE CONVENER,
DISTRICT LEVEL SCHOOL KALOTSAVAM,
ALAPPUZHA DISTRICT (DEPUTY DIRECTOR OF EDUCATION,
ALAPPUZHA), OFFICE OF THE DDE, OPP. CIVIL STATION,
ALAPPUZHA - 688 001.**

R1 TO R3 BY SR GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 75 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT-P1- TRUE COPY OF THE RELEVANT PAGES OF THE KERALA SCHOOL KALOLSAVA MANUAL.**
- EXHIBIT-P2- TRUE COPY OF THE CERTIFICATE ISSUED BY THE DEPARTMENT OF GENERAL EDUCATION AND THE PAPER CUTTING.**
- EXHIBIT-P3- TRUE COPY OF THE RECEIPT FOR DEPOSIT OF APPEAL FEES DATED 04/12/2014.**
- EXHIBIT-P4- TRUE COPY OF THE ORDER DATED 23/12/2014, WHICH WAS OTHERWISE RECEIVED BY THE PETITIONER ON 29/12/2014.**
- EXHIBIT-P5- TRUE COPY OF THE CIRCULAR DATED 30/10/2012.**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

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P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 75 of 2015

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Dated, this the 6th day of January, 2015

JUDGMENT

The petitioner was a participant in the 'Kuchippudi' dance held recently in the Haripad Sub District Level Kalolsavam at Alappuzha. Despite the best performance stated as put in by her, she was awarded only the 3rd prize. The appeal against the decision of the Judges came to be rejected as borne by Ext. P4, which made the petitioner to approach this Court by filing the present writ petition.

2. The learned counsel for the petitioner submits that as per the 'Kalolsavam Manual', though appeal has to be finalized within two days, the appeal preferred by the petitioner on 04.12.2014 was finalized only on 23.12.2014, that too, after several enquiries from the part of the petitioner. It is stated that though the petitioner has raised a case as to the 'pin-piercing incident', there was no mentioning about the said aspect in the appellate order.

3. Heard the learned Government Pleader as well, who submits that there is a margin of 21 marks between the petitioner and the first prize winner. It is pointed out that the first prize winner got

241, whereas the petitioner [who is placed at 3rd place] could secure only 220 marks. It is stated that report of the Stage Manager revealed that no instance of 'pin-piercing' was reported at the time of performance. There is no plea of malafides.

3. Considering the facts and circumstances, this Court finds that there is no tenable ground. Interference is declined and the writ petition is dismissed.

Sd/-

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

kmd