

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.91 of 2015 (J)

/PETITIONER:

**MEERA.S,AGED 15 YEARS,STUDENT,
MAYYANAD HIGHER SECONDARY SCHOOL,
MAYYANAD,KOLLAM,REPRESENTED
BY HER FATHER SUNIL DUTT,MAYOORAM,
KOOTTIKKADA.P.O,THATTAMALA,KOLLAM-691020.**

BY ADV. SMT.I.S.LAILA

RESPONDENTS:

- 1. THE CHAIRMAN,
SUB DISTRICT LEVEL APPELLATE COMMITTEE,
SUB DISTRICT LEVEL (KOLLAM DISTRICT)
SCHOOL KALOLSAVAM 2014-2015 &
DISTRICT EDUCATIONAL OFFICER,
KOLLAM-691006.**
- 2. THE DISTRICT EDUCATIONAL OFFICER,
OFFICE OF THE DISTRICT EDUCATIONAL OFFICER,
KOLLAM-691006.**
- 3. GENERAL CONVENER,
DISTRICT LEVEL (KOLLAM DISTRICT)
SCHOOL KALOLSAVAM-2014-2015-691006.**
- 4. THE GENERAL CONVENER,
KOLLAM REVENUE DISTRICT SCHOOL KALOLSAVAM 2014-2015,
KOLLAM-691009.**

R1 TO R4 BY SENIOR GOVT. 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:**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:TRUE COPY OF THE MERIT CERTIFICATE ISSUED TO THE PETITIONER IN MOHINIYATTAM.

EXT.P2:TRUE COPY OF THE MERIT CERTIFICATE ISSUED TO THE PETITIONER IN BHARATHA NATYAM.

EXT.P3:TRUE COPY OF THE MERIT CERTIFICATE ISSUED TO THE PETITIONER IN NADODI NRUTHUM.

EXT.P4:TRUE COPY OF THE MERIT CERTIFICATE ISSUED TO THE PETITIONER IN KUCHUPPUDI.

EXT.P5:TRUE COPY OF THE PARTICIPANT'S CARD ISSUED TO THE PETITIONER FOR PARTICIPATING CHATHANNUR SUB DISTRICT KALOLSAVAM.

EXT.P6 TRUE COPY OF THE RESULT PUBLISHED IN NADODI NRUTHAM (GIRLS).

EXT.P7:TRUE COPY OF THE RESWULT PUBLISHED IN BHARATHANATYAM (GIRLS).

EXT.P8:TRUE COPY OF THE ORDER NO.A5/10340/2014 (36) DATED 15.12.2014 PASSED BY THE 1ST RESPONDENT.

EXT.P9:TRUE COPY OF THE ORDER NO.A5/10340/2014 (14) dated 15.12.2014 PASSED BY THE 1ST RESPONDENT.

RESPONDENT'S EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

pk

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 91 of 2015

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Dated, this the 6th day of January, 2015

JUDGMENT

The petitioner was a participant in 'Folk dance' and 'Bharathanatyam' competitions held recently in the Chathannur Sub District Kalolsavam. According to the petitioner, though the petitioner performed well, after evaluation, she was awarded only the 4th position with A Grade in both the events, which according to the petitioner is not correct and hence appeals were preferred. . But the appeals were dismissed as borne by Exts. P8 and P9, which in turn are under challenge in this writ petition.

2. The learned counsel for the petitioner submits that since the stage was erected facing the west and since the performance of the petitioner was at about 3.00 p.m, sunlight directly fell on the face of the petitioner, which adversely affected her performance.

2. Heard the learned Government Pleader as well, who submits that there is absolutely no pith or substance in the averments raised in the writ petition. It is pointed out that in respect of Bharata Natyam the first prize winner got 256 marks, whereas the petitioner [who is placed at 4th place] could secure only 241 marks and in

respect of Folk dance, the first prize winner got 243 marks, whereas the petitioner [who is placed at 4th place] could secure only 221 marks. As such, there is a substantial margin of 15 and 22 marks respectively. With regard to the contention as to the erection of stage, the learned Government Pleader submits that all the participants performed the events on the same stage. 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