

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. 276 of 2015 (H)

PETITIONER(S):

1. AISWARIA K DAVIS (MINOR), D/O.DAVIS K.O,
REPRESENTED BY HER GUARDIAN FATHER DAVIS K.O,
S/O.OUSEPH K.I, AGED 55 YEARS, RESIDING AT KANNAMPUZHA HOUSE
F.B 34, N.G.O QUARTERS, P.O MARIKUNNU
KOZHIKODE 673 012.
2. AMRUTHA M (MINOR),
D/O.USHA P, REPRESENTED BY HER GUARDIAN MOTHER
USHA P, W/O.P.K SATHYAN, AGED 44 YEARS
RESIDING AT 'USHUS', VELLORTHAZAM, CIVIL STATION
KOZHIKODE 673 020.
3. MEGHNA PRASAD (MINOR), D/O.LISSY PRASAD,
REPRESENTED BY HER GUARDIAN MOTHER LISSY PRASAD
AGED 45 YEARS, W/O.PRASAD P, RESIDING AT 28/1945 A1
'MEGHA' THEKKEPATT METHAL PARAMBA, KATTUKULANGARA
NELLIKODE, KOZHIKODE 673 016.

**BY ADVS.SRI.T.C.SURESH MENON
SRI.P.S.APPU
SRI.A.R.NIMOD**

RESPONDENT(S):

4. THE DIRECTOR,
DIRECTORATE OF HIGHER SECONDARY EDUCATION
HOUSING BOARD BUILDING, SANTHI NAGAR
THIRUVANANTHAPURAM 695 001.
5. THE STATE SECRETARY
BHARAT SCOUTS AND GUIDES, VIKAS BHAVAN P.O,
THIRUVANANTHAPURAM 695 001.

BY SENIOR GOVERNMENT PLEADER SRI.K.C.VINCENT

**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 PROVISIONAL CERTIFICATE ISSUED TO THE 1ST PETITIONER DATED 15-3-2014 |
| EXT.P2 | TRUE COPY OF PROVISIONAL CERTIFICATE ISSUED TO THE 2ND PETITIONER DATED 15-3-2014 |
| EXT.P3 | TRUE COPY OF PROVISIONAL CERTIFICATE ISSUED TO THE 3RD PETITIONER DATED 15-3-2014 |
| EXT.P4 | TRUE COPY OF THE FINAL RESULT AND LIST OF RECOMMENDED GUIDES FOR THE RASHTRAPATHI AWARD,2013 PUBLISHED IN THE MONTH OF MARCH,2014 |
| EXT.P5 | TRUE COPY OF THIS COMMUNICATION FROM THE GUIDE CAPTAIN TO THE PRINCIPAL OF PROVIDENCE G.H.S.S ,KOZHIKODE DATED 12-11-2014 |
| EXT.P6 | TRUE COPY OF THE CERTIFICATE ISSUED TO PETITIONERS 1 AND 3 DATED 12-11-2014 |
| EXT.P7 | TRUE COPY OF THE CERTIFICATE ISSUED TO THE 2ND PETITIONER DATED 12-11-2014 |
| EXT.P8 | TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS TO THE 1ST RESPONDENT DATED 14-11-2014 |
| EWXT.P9 | TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS TO THE 1ST RESPONDENT 20-11-2014 |

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY/

P.S. TO JUDGE

PJ

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 276 of 2015

Dated this the 6th day of January, 2015

J U D G M E N T

The petitioners have approached this Court with the following prayers:

- “(i) issue a writ in the nature of mandamus directing the respondents to take appropriate and expeditious steps to ensure that the grace marks to which the petitioners are eligible are granted to them on the basis of the Rashtrapathi's Award conferred upon them;*
- (ii) issue a writ in the nature of mandamus directing the 1st respondent to consider on merit Exts.P8 and P9 and take expeditious action on the same after affording to the petitioners an opportunity of being heard.”*

2. The learned counsel for the petitioners submits that, the petitioners are members of the 'Kerala State Bharat Scouts and Guides' and have been conferred with 'Rashtrapathi Award, 2013' on the basis of a test conducted in September, 2013. By the time the result was published in March, 2014, the petitioners have completed the 10th Standard. However, the eligibility to have grace marks has been extended to the 'Higher Secondary' course as well and it is in the said circumstances, that the petitioners moved the 1st respondent by filing Exts.P8 and P9

representations. The learned counsel for the petitioners submits that, the grievance of the petitioners will stand redressed, if a direction is given to the 1st respondent to consider Exts.P8 and P9 and to pass appropriate orders within a reasonable time.

3. Heard the learned Government Pleader as well.

4. In view of the limited extent of relief sought for, this Court does not find it necessary to deal with the merits of the case. The writ petition is disposed of, directing the 1st respondent to consider and pass appropriate orders on Exts.P8 and P9, in accordance with law, after affording an opportunity of hearing to the petitioners, at the earliest, at any rate, within 'two months' from the date of receipt of a copy of this judgment.

The petitioners shall produce a copy of this judgment along with a copy of this writ petition before the 1st respondent for further steps.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.