

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. 723 of 2015 (M)

PETITIONER :

**MANJU P.M, AGED 17 YEARS (MINOR),
STANDARD XII, ST ANTONYS H.S.S., MALA,
REPRESENTED BY HER FATHER MADHAVAN P.K.**

BY ADV. SRI.MANSOOR.B.H.

RESPONDENT(S):

- 1. THE GENERAL CONVENER / DEPUTY DIRECTOR OF EDUCATION,
THRISSUR REVENUE DISTRICT SCHOOL KALOTSAVAM 2014-2015,
THRISSUR- 680 001**
- 2. THE CHAIRMAN/ DEPUTY DIRECTOR OF EDUCATION,
APPEAL COMMITTEE,
THRISSUR REVENUE DISTRICT SCHOOL KALOTSAVAM 2014-2015,
THRISSUR -680 001**
- 3. THE GENERAL CONVENER,
KERALA STATE SCHOOL KALOTSAVAM 2014-15,
KOZHIKODE- 673 001**

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

**EXHIBIT P1 TRUE COPY OF THE ORDER IN APPEAL NO.E5/63 BEARING NO.
E5/1095/2014 DATED 08-12-2014 ISSUED BY THE 2ND RESPONDENT**

**EXHIBIT P2 A TRUE COPY OF THE RELEVANT PAGES OF APPEAL STATUTES
PREPARED BY THE SECOND RESPONDENT**

**EXHIBIT P3 TRUE COPY OF THE APPELLATE ORDER IN APPEAL NO.E5/59 FILED
BY V.B.H.S.S THRISSUR, BEARING NO.E5/1095 DATED 08-12-2014**

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.S.TO.JUDGE

sts

P.R. RAMACHANDRA MENON, J.

.....
W.P(C)No.723 OF 2015
.....

Dated this the 9th January, 2015

J U D G M E N T

Petitioner's team had participated in the event **'Thiruvathirakali'** in the Thrissur Revenue District School Kalolsavam 2014-15 held on 02.12.2014. The petitioner's team came to be sidelined, when the result was published since their team could secure only second prize with A Grade, as a result of which they are not in a position to participate in the State Level Competition. Though the petitioner's team filed an appeal mainly challenging the wrong evaluation of the event and lack of proficiency of the judging panel, the same was rejected by a mechanical order without affording an opportunity of hearing to them . The main contention raised in this writ petition is that the appeal filed by the petitioner's team was rejected as per Ext.P1; whereas the appeal filed by the other team, who shared the second place with the petitioner's team was allowed as per Ext.P3, though the grounds of challenge were different. In the appeal filed by the said team, the main ground of challenge was about the defective lighting system on the stage; which has been held as correct and sustainable. But in Ext.P1 order passed in

the case of the petitioner's team, the appeal committee observes that no defect was reported by the Stage Manager..

2. Heard the learned Government Pleader as well.

3. After hearing both the sides, this Court is of the view that, the ground for intervention ordered as per Ext.P3 in the case of the other team whose appeal was allowed, should be made applicable to the case of the petitioner's team as well. In the said circumstance, this Court finds that an opportunity has to be given to the petitioner's team to participate in the event **'Thiruvathirakali'** in the State Kalolsavam 2015 to be held at Kozhikode. The petitioner's team is provisionally permitted to participate in the said event and it shall be subject to the norms and guidelines as per the manual issued by the competent authority in this regard.

The writ petition is disposed of. The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the concerned respondent for further steps

P.R.RAMACHANDRA MENON
JUDGE