

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 12TH DAY OF JANUARY 2015/22ND POUSHA, 1936

WP(C).No. 757 of 2015 (T)

PETITIONER(S):

**STIMMY STEPHEN,
SENIOR MEMBER, MARGAMKALI TEAM,
OUR LADY OF LOURDE'S HIGHER SECONDARY SCHOOL,
UZHAVOOR - 686 634, KOTTAYAM DISTRICT.**

BY ADV. SRI.JOSE J.MATHAIKAL

RESPONDENT(S):

- 1. THE APPEAL COMMITTEE,
KOTTAYAM REVENUE DISTRICT SCHOOL KALOLSAVAM,
REPRESENTED BY ITS CHAIRMAN,
THE DEPUTY DIRECTOR OF EDUCATION, KOTTAYAM - 686 572.**
- 2. ST.MARYS HIGHER SECONDARY SCHOOL,
KIDANGOOR, KOTTAYAM DISTRICT - 686 572,
REPRESENTED BY ITS PRINCIPAL.**

R1 BY GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
12-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 757 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1: TRUE COPY OF THE CERTIFICATE DATED 6/1/2015 ISSUED BY THE
PRINCIPAL.**

**EXHIBIT-P2: TRUE COPY OF RESULT OF MARGAMKALI IN KOTTAYAM REVENUE
DISTRICT.**

EXHIBIT-P3: TRUE COPY OF CERTIFICATE OF MERIT OF THE PETITIONER.

**EXHIBIT-P4: TRUE COPY OF THE APPELLATE ORDER DATED 20.12.2014 SERVED
ON 6/1/2015.**

EXHIBIT-P5: TRUE COPY OF RELEVANT PORTION OF MANUAL FOR KALOLSAVAM.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.757 of 2015

Dated this the 12th day of January, 2015

JUDGMENT

The petitioner was a participant in the 'Margamkali' team in the 'Kottayam Revenue District School Kalolsavam, 2014-2015' and was awarded only the 'second prize'. Grievance of the petitioner is that, the appeal preferred against the decision did not turn to be fruitful and the same was rejected as per Ext.P4 order, which is under challenge in this writ petition.

2. The learned counsel for the petitioner points out that, the inadequacies/lapses with regard to the stage setting and infrastructure were the subject matter of challenge in the appeal preferred by another participant in the same event, who was awarded 'second prize' like the petitioner herein and the said appeal was considered and allowed. The petitioner is entitled to have the similar treatment, submits the learned counsel.

3. The factual position was got ascertained by the learned Government Pleader, who submits that the appeal preferred by the other second prize winner on similar ground was considered

and allowed.

4. In the said circumstance, this Court finds that an opportunity has to be given to the petitioner's team to participate in the event 'Margamkali' in the State Level Youth Festival, 2015 to be held at Kozhikode. It shall be strictly provisional and subject to the norms and guidelines as per the manual issued by the competent authority in this regard.

Petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the concerned respondent, for further steps.

The writ petition is disposed of.

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

sp