

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. 763 of 2015 (U)

PETITIONER :

**NAMITA DHANARAJ (MINOR), AGED 16 YEARS,
D/O.NIRMAL DEVI.S., REPRESENTED BY HER LEGAL
GUARDIAN AND MOTHER NIRMALA DEVI.S.,
D/O.LATE NARAYANAN NAMBIAR, ADUTHILA,
MADAYI AMSOM AND DESOM, KANNUR DISTRICT.**

BY ADV. SRI.O.V.MANIPRASAD

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM, PIN -695 001.**
- 2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM, PIN- 695 001.**
- 3. THE DEPUTY DIRECTOR OF EDUCATION,
KANNUR, OFFICE OF THE DEPUTY DIRECTOR OF EDUCATION,
KANNUR, PIN -670 001.**
- 4. THE GENERAL CONVENER,
KERALA STATE SCHOOL KALOTSAVAM 2014-15,
KOZHIKODE, PIN- 673 001.**
- 5. THE CONVENER, PROGRAM COMMITTEE,
KERALA STATE SCHOOL KALOTSAVAM 2014-15,
KOZHIKODE, PIN -673 001.**
- 6. THE CONVENER,PROGRAM COMMITTEE,
KANNUR REVENUE DISTRICT SCHOOL KALOTSAVAM 2014-15,
CGHS, THALASSERY, THALASSERY P.O.,
KANNUR DISTRICT, PIN -670 101.**

R1 TO R6 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:**

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APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT-P1: A TRUE COPY OF THE CERTIFICATE ISSUED TO THE PETITIONER ON 23.09.2013 BY THE REGISTRAR, INDIRA KALA SANGIT VISWAVIDYALAYA, KHAIRAGARH.
- EXHIBIT-P2: A TRUE COPY OF THE CERTIFICATE OF MERIT DATED 06.10.2012 ISSUED TO THE PETITIONER FOR HER OUTSTANDING PERFORMANCE IN KUCHUPUDY IN CBSE SAHODAYA CULTURAL FESTIVAL.
- EXHIBIT-P3: A TRUE COPY OF THE CERTIFICATE OF MERIT DATED 1.8.2012 FOR HER VERY GOOD PERFORMANCE IN THE MATHEMATICS OLYMPIAD.
- EXHIBIT-P4: TRUE COPIES OF THE CERTIFICATES OF MERIT OF KERALOTSAVAM 2013 AND KERALOTSAVAM 2014 FOR SECURING FIRST POSITION IN KERALA NATANAM AND KATHAKALI.
- EXHIBIT-P5: A TRUE COPY OF THE CERTIFICATE OF MERIT ISSUED TO THE PETITIONER FOR OBTAINING A GRADE IN KERALA NATANAM.
- EXHIBIT-P6: A TRUE COPY OF THE CERTIFICATE OF MERIT DATED 02.12.2013 ISSUED TO THE PETITIONER FOR SECURING A GRADE IN KERALA NATANAM.
- EXHIBIT-P7: A TRUE COPY OF THE CERTIFICATE OF MERIT DATED 02.12.2013 ISSUED TO THE PETITIONER FOR SECURING A GRADE IN NANGIAR KOOOTH.
- EXHIBIT-P8: A TRUE COPY OF THE CERTIFICATE DATED 25.01.2014.
- EXHIBIT-P9: A TRUE COPY OF THE CERTIFICATE OF MERIT DATED 28.11.2014 ISSUED TO THE PETITIONER FOR SECURING A GRADE IN KERALA NATANAM.
- EXHIBIT-P10: A TRUE COPY OF THE CERTIFICATE OF MERIT DATED 28.11.2014 ISSUED TO THE PETITIONER FOR SECURING A GRADE IN KATHAKALI (GROUP).
- EXHIBIT-P11: A TRUE COPY OF THE CERTIFICATE OF MERIT DATED 28.11.2014 ISSUED TO THE PETITIONER FOR SECURING A GRADE IN KATHAKALI (GIRLS).
- EXHIBIT-P12: A TRUE COPY OF THE CERTIFICATE OF MERIT DATED 28.11.2014 ISSUED TO THE PETITIONER FOR SECURING A GRADE IN NANGIAR KOOOTH.
- EXHIBIT-P13: TRUE COPY OF THE PAPER REPORTS REGARDING THE PROTEST IN THE RESULT OF NANGIAR KOOOTH APPEARED IN VARIOUS NEWS PAPERS.

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- EXHIBIT-P14: TRUE COPY OF THE APPEAL FEE RECEIPT ISSUED TO THE PETITIONER IN RESPECT OF KERALA NATANAM.**
- EXHIBIT-P15: TRUE COPY OF THE APPEAL FEE RECEIPT ISSUED TO THE PETITIONER IN RESPECT OF NANGIAR KOOH.**
- EXHIBIT-P16: TRUE COPY OF THE APPEAL FEE RECEIPT ISSUED TO THE PETITIONER IN RESPECT OF KATHAKALI (GROUP).**
- EXHIBIT-P17: A TRUE COPY OF THE APPEAL FEE RECEIPT REGARDING KATHAKALI (SINGLE).**
- EXHIBIT-P18: A TRUE COPY OF THE ORDER PASSED BY THE 3RD RESPONDENT REJECTING THE APPEAL IN RESPECT OF KERALA NATANAM.**
- EXHIBIT-P19: A TRUE COPY OF THE ORDER PASSED BY THE 3RD RESPONDENT REJECTING THE APPEAL IN RESPECT OF NANGAIRKOOH.**
- EXHIBIT-P20: A TRUE COPY OF THE ORDER PASSED BY THE 3RD RESPONDENT REJECTING THE APPEAL IN RESPECT OF KATHAKALI (SINGLE)**
- EXHIBIT-P21: A TRUE COPY OF THE CONTESTANT WHO SECURED FIRST PLACE IN NANGAIRKOOH**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

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P.R. RAMACHANDRA MENON, J.

W.P.(C) No.763 of 2015

Dated this the 12th day of January, 2015

JUDGMENT

The petitioner was a participant in the items of 'Kerala Natanam', 'Kathakali' (Group & Single) and 'Nangiar Kooth' in the 'Kannur Revenue District School Kalolsavam, 2014-2015' and was awarded only the second place with A Grade. Grievance of the petitioner is that, the appeal preferred in respect of 'Kathakali (Group)' was allowed, whereas the appeals regarding 'Kerala Natanam', 'Kathakali' (Single) and 'Nangiar Kooth' did not turn to be fruitful and they were rejected, which is under challenge in this writ petition.

2. The petitioner has produced the particulars of marks in the event 'Nangiar Kooth' as Ext.P18. The photographs with regard to the said event in the case of the first prize winner have been produced as Ext.P21.

3. The learned Government Pleader submits on instructions

that, the judging panel, who evaluated the event consists of renowned persons in the field. First judge in the panel is doing Ph.D. and is an M.A. Degree holder from Kerala Kalamandalam. The second judge, Smt.Margi Usha is a famous artist, who has obtained her P.G. Degree from Kerala Kalamandalam. The third judge is a P.G. Diploma holder from Ammannoor Madhava Chakiar Gurukulam. The first price winner got 246 marks, while the petitioner got only 242 marks. All the judges have given uniform marks. It is further pointed out that, the averment of the petitioner that the crown of the first prize winner fell down in the course of performance, is factually correct, but the same has been properly evaluated and only the requisite extent of marks has been awarded to the said candidate.

Considering the facts and circumstances, this Court finds it fit and proper to give a chance to the petitioner to perform in the State Level School Kalolsavam to be conducted at Kozhikode from 15.01.2015 in respect of the event '**Nangiar Kooth**'. It is ordered accordingly.

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

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

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