

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

WP(C).No. 4767 of 2013 (U)

PETITIONER(S) :

**ST.MARYS ENGLISH MEDIUM SCHOOL,
PERIYATTADUKKAM, PANAYAL P.O., PANAYAL,
HOSDURG, KASARAGOD, PIN - 671 315,
REPRESENTED BY ITS MANAGER.**

BY ADV. SRI.ALIAS M.CHERIAN

RESPONDENT(S) :

- 1. CENTRAL BOARD OF SECONDARY EDUCATION,
SHIKSHA KENDRA, 2 COMMUNITY CENTRE, PREET VIHAR,
DELHI - 110 301, REPRESENTED BY ITS SECRETARY.**
- 2. PRESIDENT, CENTRAL BOARD OF SECONDARY EDUCATION,
SHIKSHA KENDRA, 2, COMMUNITY CENTRE, PREET VIHAR,
DELHI - 110 301.**

BY ADV. SRI.DEVAN RAMACHANDRAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

- EXT.P1: TRUE COPY OF REGISTRATION PAGE FOR E - AFFILIATION SYSTEM.**
- EXT.P2: TRUE COPY OF BY DEMAND DRAFT NO.076220 DATED 29.06.2011 DRAWN ON UNION BANK OF INDIA.**
- EXT.P3: TRUE COPY OF LETTER NO.CBSE/AFF/SL - 01929 - 1213/2012 DATED 19.03.2012.**
- EXT.P4: TRUE COPY OF LETTER DATED 08/11/2012.**
- EXT.P5: TRUE COPY OF FILE NO.A5-33209/2012(A) DATED 03.11.2012.**
- EXT.P6: TRUE COPY OF GOVERNMENT ORDER (MS) NO.306/2012/G.EDN DATED 29.09.2012.**
- EXT.P7: TRUE COPY OF LEASE DEED DATED 27.10.2011**
- EXT.P8: TRUE COPY OF STAFF STATEMENT AS ON 04.06.2012.**
- EXT.P9: TRUE COPY OF AFFIDAVIT DATED 29.06.2009.**
- EXT.P10: TRUE COPY OF LIST OF EQUIPMENT.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

A.V.RAMAKRISHNA PILLAI, J

WPC No.4767 of 2013

Dated this the 19th day of June, 2015

JUDGMENT

Aggrieved by Ext.P3 rejection order of the petitioner's application for recognition for 9th standard for the academic year 2012-2013, the petitioner has come up before this Court.

2. The petitioner is a recognised school functioning for the last more than 8 years. It has classes from Standard I to VIII. In the academic year 2011-2012, the petitioner submitted an application for affiliation from the first respondent for its secondary section (Standard IX) for the academic year 2012-2013 as evident by Ext.P1. An amount of Rs.75,000/- was paid by the petitioner to the first respondent towards fees for the processing of the application by Ext.P2. According to the petitioner, it was orally informed to him that since the on-line application was rejected by Ext.P3 letter, the application cannot be

reconsidered though it was resubmitted after curing the defects. Hence this writ petition.

3. Today when the matter came up for hearing, the learned counsel for the petitioner submitted that the application happened to be rejected on account of certain material defects pointed out by the petitioner which was subsequently cured by the petitioner and the same was re-presented by Ext.P4.

Therefore, this writ petition is disposed of directing the respondents to consider Exts.P1 and P4, after affording the petitioner an opportunity of being heard.

**sd/- A.V.RAMAKRISHNA PILLAI
JUDGE**

CSS/

true copy

P.S.TO JUDGE