

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

WP(C).No. 2223 of 2015 (C)

PETITIONER :

**SALI K.JOSE, HEADMISTRESS,
WOMEN'S ACADEMY OF FASHION DESIGNING AND GARMENT
TECHNOLOGY, WOMEN'S CLUB BUILDING, CHEMBAKKAVU,
THRISSUR.**

**BY ADVS.SRI.B.S.SWATHY KUMAR
SRI.A.K.RAJESH
SRI.VENKATESH GOPI**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
HIGHER EDUCATION DEPARTMENT, SECRETARIATE,
THIRUVANANTHAPURAM, PIN-695 001.**
- 2. THE DISTRICT SCHEDULED CASTE DEVELOPMENT OFFICER,
THRISSUR, PIN-680 003.**
- 3. THE REGIONAL DIRECTOR OF TECHNICAL EDUCATION,
KOTHAMANGALAM.PIN-686 601**

BY GOVERNMENT PLEADER SRI.MANOJ P. KUNJACHAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 26-05-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

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APPENDIX

PETITIONER(S)' EXHIBITS

- EXT P1 :** TRUE COPY OF THE ORDER NO.C3/7988/84 DATED 16-10-1984.
- EXT P2 :** TRUE COPY OF THE ORDER NO.B/1361/2010 DATED 08-11-2010 OF THE 3RD RESPONDENT.
- EXT P3 :** TRUE COPY OF THE ORDER G.O.(MS)NO.134/2011/H.EDN DATED 16-08-2011.
- EXT P4:** TRUE COPY OF THE COMMUNICATION NO.E6-7153/11 DATED 31-10-2012 OF THE 2ND RESPONDENT.
- EXT P5 :** TRUE COPY OF THE ORDER NO.E7-7153/11 DATED 17-12-2014 OF THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

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K. VINOD CHANDRAN, J.

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Dated this the 26th day of May, 2015

J U D G M E N T

The petitioner is the Principal of a vocational training school granted recognition by the Director of Technical Education, as per Ext.P1. Admittedly, the petitioner had been carrying on a course under the name and style Fashion Designing and Garment Technology. The petitioner's contention is that, the petitioner's school exclusively caters to SC/ST candidates and the fees applicable to the course is paid by the Government. The demand made is on the ground of enhancement of fees granted as per Ext.P3. The petitioner claims fees at the rate so enhanced by Ext.P3 for the academic year 2010-11.

2. The Government has filed a counter affidavit, in which it has been clearly stated that the Government Order

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relied on by the petitioner would be applicable only for the academic year 2011-12. For the year 2010-11, the fee concession applicable was at the rate of Rs.1,000/- and the petitioner too was granted the fees at the rate for the students, who had undertaken the course in the said academic year. The Government Order dated 16.08.2011 is said to be effective only from the academic year 2011-12 onwards. The fee enhancement having been effected on 16.08.2011 and since the same has not been made specifically applicable to the academic year 2010-11, this Court does not find any reason to interfere with the interpretation given to the order that the enhancement would be applicable only from the academic year 2011-12.

The writ petition is dismissed.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

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// true copy //

P.A to Judge.