

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 10TH DAY OF JUNE 2015/20TH JYAISHTA, 1937

WP(C).No. 3764 of 2015 (U)

PETITIONER(S) :

AISWARYA M.PILLAI, AGED 17 YEARS,
D/O.MAHESWARAN PILLAI, VADAKKEDATHU BUNGALOW,
PATHIYOORKALA, KEERIKAD P.O., ALAPPUZHA DISTRICT,
REPRESENTED BY HER FATHER AND NATURAL GUARDIAN,
MAHESWARAN PILLAI, AGED 65 YEARS, S/O.SIVARAMA PILLAI,
VADAKKEDATHU BUNGALOW, PATHIYOORKALA, KEERIKAD P.O.,
ALAPPUZHA DISTRICT.

BY ADVS.SRI.S.SHANAVAS KHAN
SMT.S.INDU

RESPONDENT(S) :

1. THE CENTRAL BOARD OF SECONDARY EDUCATION,
2 COMMUNITY CENTRE, PREET VIHAR , DELHI-110 301,
REPRESENTED BY ITS CHAIRMAN.
2. THE ASSISTANT SECRETARY,
2, COMMUNITY CENTRE , PREET VIHAR, DELHI-110 301.
3. THE CONTROLLER OF THE EXAMINATIONS.
CENTRAL BOARD OF SECONDARY EDUCATION,
2, COMMUNITY CENTRE, PREET VIHAR, DELHI-110 301.
4. THE ASSISTANT SECRETARY,
CENTRAL BOARD OF SECONDARY EDUCATION,
REGIONAL OFFICE, PATTOM, THIRUVANANTHAPURAM-695 004.
5. JANASAKTHI PUBLIC SCHOOL,
VELANCHIRA, PATTOLI MARKET P.O., KAYAMKULAM,
ALAPPUZHA DISTRICT- 695 004, REPRESENTED BY ITS PRINCIPAL.
6. THE PRINCIPAL,
JANASAKTHI PUBLIC SCHOOL, VELANCHIRA,
PATTOLI MARKET P.O., KAYAMKULAM, ALAPPUZHA DISTRICT- 690 502.

R1 TO R4 BY SRI.DEVAN RAMACHANDRAN, S.C
R6 BY ADVS. SRI.P.SREEKUMAR
SRI.Y.SREEKUMAR BAL
SRI.T.S.SARATH
SMT.P.M.MAZNA MANSOOR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 SERIES:** TRUE COPIES OF THE MARK LISTS IN RESPECT OF UNIT TESTS ATTENDED BY THE PETITIONER'S DAUGHTER FOR THE ACADEMIC YEARS 2014-2015.
- P2 SERIES:** TRUE COPIES OF CERTIFICATES SECURED BY THE PETITIONER'S DAUGHTER FOR VARIOUS CULTURAL ACTIVITIES.
- P3:** TRUE COPY OF THE DISCHARGE SUMMARY ISSUED FROM LAKE SHORE HOSPITAL, MARADU.
- P4:** TRUE COPY OF THE TRANSFER CERTIFICATE ISSUED FROM AMRITA VIDYALAYAM, HARIPAD.
- P5:** TRUE COPY OF THE LETTER NO.HPD/CBSE/2015 DATED 07/01/2015 SEND BY THE PRINCIPAL, AMRITA VIDYALAYAM TO THE 6TH RESPONDENT.
- P6:** TRUE COPY OF THE COMMUNICATION SENT BY THE SIXTH RESPONDENT TO THE 2ND RESPONDENT.
- P7:** TRUE COPY OF THE ORDER DATED 10.02.2015 IN W.P.(C).NO.3764/2015 OF THIS HON'BLE COURT.
- P8:** TRUE COPY OF THE ADMISSION CARD ISSUED TO THE PETITIONER'S DAUGHTER.
- P9:** TRUE COPY OF THE COMMUNICATION RECEIVED THROUGH INTERNET.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. VINOD CHANDRAN, J.

W.P(C). No.3764 of 2015

Dated this the 10th day of June, 2015.

JUDGMENT

The petitioner was aggrieved with the refusal of the C.B.S.E. to participate in the 12th Standard Examination held in 2015 for the Academic year 2014-2015. The peculiar facts coming to fore in the above writ petition is that the petitioner had completed her 11th Standard in another School and due to health reasons had sought for transfer to the 5th respondent School. The 5th respondent School, however, failed to intimate the C.B.S.E. about the admission of the petitioner.

2. The respondents 5 and 6 appeared and admitted before this Court that the petitioner was in fact admitted and had attended the classes and it is only due to an inadvertant mistake on their part, that the petitioner was not permitted to sit for the 12th Standard Examination. This Court, on admitting the writ

petition, had directed provisional admission of the petitioner for the 12th Standard Examination and the petitioner has now participated in the Examination. The petitioner's results are withheld only for reason of the afore noticed defect being that of the C.B.S.E. having not registered her, solely for the reason that the 5th respondent having not intimated her admission. The School has now forwarded the name of the petitioner, admitting the default and seeking ratification of such admission made. The results, as indicated in Ext.P9, are not declared only because of the aforesaid defect.

In such circumstances, it is declared that the petitioner is validly registered as a student appearing in the 12th Standard for the Academic year 2014-2015 with the C.B.S.E., from the 5th respondent School. The petitioner's results shall be declared forthwith.

The writ petition is allowed.

**K. VINOD CHANDRAN,
JUDGE**

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