

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 2ND DAY OF JULY 2015/11TH ASHADHA, 1937

WP(C).No. 8392 of 2009 (T)

PETITIONER(S):

KERALA INDEPENDENT SCHOOLS ASSOCIATION,
(REGISTRATION NO.Q 61/09), FRIENDS COMPLEX
KARIKKOM P.O., KOTTARAKKARA,
REPRESENTED BY ITS PRESIDENT.

BY ADVS.SRI.MOHAN JACOB GEORGE
SMT.P.V.PARVATHI
SMT.REENA THOMAS
SRI.L.RAM MOHAN.

RESPONDENT(S):

1. THE SECRETARY,
CENTRAL BOARD OF SECONDARY EDUCATION, AFFILIATION BRANCH,
SHIKSHA KENDRA, 2 COMMUNITY CENTRE, PREET VIHAR,
DELHI - 110 092.
2. STATE OF KERALA,
REPRESENTED BY SECRETARY, GENERAL EDUCATION,
DEPARTMENT GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.
3. COUNCIL FOR THE INDIAN SCHOOL,
CERTIFICATE EXAMINATIONS,
REPRESENTED BY ITS SECRETARY, PRAGATHI HOUSE,
3RD FLOOR, 47-48, NEHRU PLACE,
NEW DELHI - 110 505.
4. UNION OF INDIA,
REPRESENTED BY SECRETARY, DEPARTMENT OF SCHOOL & LITERACY,
HUMAN RESOURCES DEPARTMENT, VIGYAN BHAVAN, NEW DELHI.

R3 BY ADV. SRI.V.V.RAJA
R3 BY ADV. SRI.R.RANJITH
R4 BY ADV. SRI.P.PARAMESWARAN NAIR,ASST.SOLICITOR &
BY SRI.DEVAN RAMACHANDRAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXT.P1 - COPY OF THE REGISTRATION CERTIFICATE EVIDENCING THE REGISTRATION OF THE PETITIONER SOCIETY UNDER THE TRAVANCORE COCHIN LITERARY SCIENTIFIC & CHARITABLE SOCIETIES ACT 12/1955.
- EXT.P2 - COPY OF THE LIST OF THE MEMBER SCHOOLS OF THE PETITIONER.
- EXT.P3 - COPY OF GO(MS)18/88/G.EDN. DATED 12/01/1988.
- EXT.P4 - COPY OF NOC DATED 22/05/1995 ISSUED TO MGM RESIDENTIAL PUBLIC SCHOOL BY THE STATE.
- EXT.P4 (A) - COPY OF NOC DATED 24/09/01 ISSUED TO ROYAL ENGLISH SCHOOL, KANNUR.
- EXT.P4 (B) - COPY OF NOC DATED 21/03/06 ISSUED TO ZION PUBLIC SCHOOL, IDUKKI DISTRICT.
- EXT.P4 (C) - COPY OF NOC DATED 02/07/05 ISSUED TO MARY MATHA ENGLISH SCHOOL, MANNUR STATE.
- EXT.P5 - COPY OF PHOTOGRAPHS OF MGM CENTRAL PUBLIC SCHOOL, THIRUVANANTHAPURAM.
- EXT.P6 - COPY OF COMMUNICATION DATED 07/11/2006 ISSUED TO MGM PUBLIC SCHOOL, THIRUVANANTHAPURAM, RETURNING THE APPLICATION.
- EXT.P7 - COPY OF GO(P)107/07/G.EDN. DATED 13/06/2007.
- EXT.P8 - COPY OF THE JUDGMENT DATED 14/09/2007 IN WP(C) NO.8120/07.
- EXT.P8 (A) - COPY OF THE ORDER DATED 29/10/2007 IN WA NO.2497/2007.
- EXT.P9 - COPY OF ORDER GO(RT)NO.5222/07/G.EDN. DATED 15/11/2007.
- EXT.P10 - COPY OF THE INTERIM ORDER DATED 26/11/2007 IN WP(C) NO.34912/2007.
- EXT.P11 - COPY OF THE ORDER DATED 04/04/2008 OF THE HON'BLE SUPREME COURT IN SLP NO.7125-7138/08.
- EXT.P12 - COPY OF THE ORDER DATED 18/07/2008 DISMISSING SLP NOS.24265-24287/07.
- EXT.P13 - COPY OF THE ORDER OF THE ICSE CONSTITUTING INSPECTION TEAM FOR VISITING THE DON BOSCO-SCHOOL.
- EXT.P13 (A) - COPY OF THE ORDER OF THE CBSE CONSTITUTING INSPECTION TEAMS FOR VISITING THE MGM SCHOOL.

- EXT.P13(B) - COPY OF THE ORDER OF THE CBSE ICSE CONSTITUTING INSPECTION TEAMS FOR VISITING THE NIRMALA PUBLIC SCHOOL.
- EXT.P14 - COPY OF THE JUDGMENT DATED 15/12/2008 IN WP(C) NO.32141/2008.
- EXT.P15 - COPY OF GO(MS)204/08/G.EDN. DATED 15/12/2008.
- EXT.P16 - COPY OF THE GO(MS)3/09 DATED 05/01/2009.
- EXT.P17 - COPY OF THE GO(MS)82/88/G.EDN. DATED 15/04/1988.
- EXT.P18 - COPY OF THE PROFILE OF THE GLOBAL INDIAN INTERNATIONAL SCHOOL OBTAINED FROM THE INTERNET.
- EXT.P19 - COPY OF THE APPLICATION SUBMITTED BY TRAVANCORE DEVASWOM BOARD CENTRAL SCHOOL, CHAKKUVALLY, SOORANAD P.O.,SOORANADM KUNNATHOOR OBTAINED FROM THE WEBSITE OF CBSE.
- EXT.P19(A) - COPY OF THE AFFIDAVIT DATED 30/04/2008 OF THE SECRETARY, TDB.
- EXT.P19(B) - COPY OF THE LAND CERTIFICATE.
- EXT.P19(C) - COPY OF THE ORDER DATED 26/03/2008 SANCTIONING AFFILIATION TO THE TDB CENTRAL SCHOOL, CHAKKUVALLY, SOORANAD.
- EXT.P20 - COPY OF THE APPLICATION SUBMITTED BY THE TDB CENTRAL SCHOOL, KADAKKAL TO CBSE.
- EXT.P21 - COPY OF LETTER OF CBSE CONSTITUTING THE INSPECTION COMMITTEE DATED 23/02/2009.
- EXT.P22 - COPY OF APPLICATION SUBMITTED BY THE TDB CENTRAL SCHOOL AT VETTIKKAVALA, KOLLAM.
- EXT.P22(A) - COPY OF ON LINE CERTIFICATE EVIDENCING THE CONSTITUTION OF THE INSPECTION COMMITTEE AS ON 27/02/2009.
- EXT.P23 - COPY OF NOC DATED 08/12/00 ISSUED TO SKDI ENGLISH MEDIUM SCHOOL, MALAPPURAM.
- EXT.P24 - COPY OF THE ONLINE APPLICATION OF SKDI SCHOOL.
- EXT.P25 - COPY OF ONLINE STATUS OF EXT. P24 APPLICATION OF SKDI SCHOOL.
- EXT.P26 - COPY OF THE NOC ISSUED TO DELTA CENTRAL SCHOOL.
- EXT.P27 - COPY OF THE ONLINE APPLICATION OF THE CELTA CENTRAL SCHOOL FOR APPROVAL OF MIDDLE CLASS SYLLABUS.
- EXT.P28 - COPY OF THE ONLINE STATUS OF DELTA SCHOOL'S P27 APPLICATION.
- EXT.P29 - COPY OF THE ONLINE STATUS OF DELTA SCHOOL OF THEIR APPLICATION FOR THEIR PROVISIONAL AFFILIATION.

- EXT.P30 - COPY OF THE INFORMATION RECEIVED BY THE PETITIONERS REGARDING SENIOR SECONDARY SCHOOL, DADABARI, KOTA, RAJASTHAN.
- EXT.P31 - COPY OF THE MEMORANDUM DATED 01/12/2008 SUBMITTED BY THE PETITIONER.
- EXT.P31(A) - COPY OF THE MEMORANDUM DATED 01/12/2008 SUBMITTED BY THE PETITIONER.
- EXT.P32 - COPY OF THE SCHOOL STATISTICS APPENDED ALONG WITH THE MEMORANDUM.
- EXT.P33 - COPY OF THE NOC DATED 17/05/2006 ISSUED TO INFANT JESUS SCHOOL, KURAVANKONAM.
- EXT.P33(A) - COPY OF THE APPLICATION OF INFANT JESUS SCHOOL SEEKING UPGRADATION TO SENIOR SECONDARY LEVEL.

RESPONDENT(S) ' EXHIBITS :

- EXT. R3(A) - TRUE COPY OF THE GUIDELINES OF AFFILIATION BROUGHT OUT BY THE 2ND RESPONDENT IN MAY 2006.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.8392 of 2009

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Dated this the 2nd day of July, 2015

JUDGMENT

When the matter came up for hearing, the learned counsel for the petitioners submitted that writ petition can be closed reserving the right of the petitioner to approach this Court if the cause of action revives. Recording the said submission, the W.P(C) is closed reserving the right of the petitioner to approach this Court if the cause of action revives.

Sd/-

**A.V.RAMAKRISHNA PILLAI
JUDGE**

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