

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON**

**WEDNESDAY, THE 25TH DAY OF FEBRUARY 2015/6TH PHALGUNA, 1936**

**WP(C).No. 4307 of 2015 (K)**  
-----

**PETITIONER :**  
-----

**SAYAN K.M.,  
AGED 49 YEARS, S/O.MURUKAN,  
KOTHIRATHARA, PANAMBUKAD, VALLARPADAM P.O.  
ERNAKULAM DISTRICT - 682 504.**

**BY ADV. SMT.KEERTHI SOLOMON**

**RESPONDENT(S) :**  
-----

- 1. STATE OF KERALA  
REPRESENTED BY ITS SECRETARY  
DEPARTMENT OF EDUCATION  
GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM - 695001.**
- 2. DIRECTOR OF PUBLIC INSTRUCTION OFFICER,  
JAGATHI, THIRUVANANTHAPURAM - 695 003.**
- 3. DEPUTY DIRECTOR,  
DEPARTMENT OF EDUCATION  
KAKKANAD, ERNAKULAM, PIN - 682 030.**
- 4. THE PRINCIPAL,  
GOVERNMENT HIGHER SECONDARY SCHOOL FOR GIRLS  
KOCHI, ERNAKULAM, PIN - 682016**
- 5. THE HEADMISTRESS  
GOVERNMENT HIGHER SECONDARY SCHOOL FOR GIRLS  
KOCHI, ERNAKULAM, PIN - 682016**

**R1 TO R5 BY GOVT. PLEADER SRI. JOSEPH GEORGE**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 25-02-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**Mn**

**...2/-**

**WP(C).No. 4307 of 2015 (K)**  
-----

**APPENDIX**

**PETITIONERS' EXHIBITS :**  
-----

- EXT. P1-        A TRUE COPY OF THE ORDER DATED 25.6.07 ISSUED BY THE  
DEPARTMENT OF EDUCATION, GOVT. OF KERALA AS NO.126/07.**
- EXT. P2-        A TRUE COPY OF THE GUIDELINES WITH REGARD TO THE  
CONSTITUTION AND DUTIES OF SCHOOL MANAGEMENT COMMITTEE.**
- EXT. P3-        TRUE COPY OF THE LETTER DATED 12.1.2015 GIVEN BY THE  
PETITIONER.**
- EXT. P4-        TRUE COPY OF THE DETAILS GIVEN BY THE 5TH RESPONDENT  
DATED 30.1.2015.**
- EXT. P5-        TRUE COPY OF THE RESIGNATION LETTER DATED NIL SUBMITTED BY  
THE FORMER PRESIDENT OF PTA.**
- EXT. P6-        TRUE COPY OF THE NOTICE SERVED TO THE PETITIONER AS PER  
THE INSTRUCTION OF THE 4TH RESPONDENT.**
- EXT. P7-        TRUE COPY OF THE COMPLAINT DATED 5.2.2015.**
- EXT. P8-        TRUE COPY OF THE COMPLAINT DATED 5.2.15**

**RESPONDENT(S)' EXHIBITS :        NIL**  
-----

**//TRUE COPY//**

**P.S. TO JUDGE**

**Mn**

**P.R. RAMACHANDRA MENON, J.**

.....  
**W.P.(C)No.4307 OF 2015**  
.....

**Dated this the 25<sup>th</sup> February, 2015**

**J U D G M E N T**

The petitioner has approached this Court with the following prayers:

*"a) issue a writ of mandamus or any other appropriate writ order or direction, directing the respondent 4 and 5 to constitute Parents Teachers Association and School Management Committee in the School as per Ext.P1 and P2 and not to conduct General Body meeting until further orders of this Hon'ble Court.*

*b) issue a writ of mandamus directing respondents 1 to 3 to take action on Ext.P7 & P8 without any delay.*

*c) issue any other orders as this Hon'ble court deems fit and proper in the facts and circumstances of the case. "*

2. The case of the petitioner as revealed from the writ petition is that PTA is not duly constituted in terms of clause 1.2 of Ext.P1. Several other insinuating circumstances are also mentioned, which compelled the petitioner to approach this Court by filing this writ petition.

3. Heard the learned Government Pleader as well, who

points out that General Body election to the PTA was held on 10.02.2015 and the proceedings have already been finalised. The writ petition was filed by the petitioner only on 10.02.2015 and it came up for admission on the next day, i.e. on 11.02.2015. The learned Government Pleader further submits that Ext.P8 representation preferred before the third respondent/Deputy Director will be caused to be considered and appropriate orders will be passed within the shortest possible time . The said submission is recorded.

4. The writ petition is disposed of directing the third respondent/Deputy Director to consider Ext.P8 and pass appropriate orders at the earliest, at any rate, within two months from the date of receipt of a copy of this judgment, after affording an opportunity of hearing to the petitioner. The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the third respondent for further steps.

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

*/k*