

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

WP(C).No. 8578 of 2010 (V)

PETITIONER(S):

- 1. BHAFAKHI THANGAL EDUCATION,
CHARITABLE TRUST, KILIMANNOR, THIRUVANANTHAPURAM,
REPRESENTED BY ITS CHAIRMAN.**
- 2. ALPHA PUBLIC SCHOOL, PEROOR.P.O.,
KILIMANOOR, PEROOR, CHIRAYINKEEZHU,
REPRESENTED BY ITS CHAIRMAN.**

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

RESPONDENT(S):

- 1. CENTRAL BOARD OF SECONDARY EDUCATION,
AFFILIATION BRANCH SHIKSHA KENDRA, 2 COMMUNITY
CENTRE PREET VIHAR, DELHI-110092 REPRESENTED
BY ITS SECRETARY.**
- 2. SECRETARY, CENTRAL BOARD OF EDUCATION,
AFFILIATION BRANCH SHIKSHA KENDRA, 2 COMMUNITY
CENTRE PREET BIHAR, DELHI-110092.**
- 3. STATE OF KERALA, REPRESENTED BY ITS
SECRETARY, GENERAL EDUCATION DEPARTMENT, SECRETARIAT
TRIVANDRUM.**
- 4. THE DISTRICT EDUCATIONAL OFFICER,
ATTINGAL.**
- 5. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM.**

R1 & 2 BY SRI.DEVAN RAMACHANDRAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONERS' EXHIBITS

- P1: COPY OF THE CERTIFICATE DATED 6/4/09 ISSUED BY THE NATIONAL COMMISSION FOR MINORITY EDUCATIONAL INSTITUTIONS**
- P2: COPY OF THE APPLICATION SUBMITTED BY THE 1ST PETITIONER SEEKING NOC FROM THE R3**
- P3: COPY OF THE CHELLAN OF RS.25,000/- TOWARDS FEE FOR NOC**
- P4: COPY OF THE VISIT REPORT OF THE DEO ATTINGAL**
- P5: COPY OF THE SURVEY REPORT OF THE DEO, ATTINGAL**
- P6: COPY OF THE COMMUNICATION DATED 2/11/06 OF THE DPI, THIRUVANANTHAPURAM**
- P7: COPY OF THE RELEVANT PORTION OF THE BUYE LAWS OF THE R1**
- P8: COPY OF THE REJECTION LETTER DATED 14/11/08 NOTING DEFICIENCIES IN THE APPLICATION OF THE PETITIONER BY THE R1**
- P9: COPY OF THE GO(MS) 18/88/G.EDN DATED 12/1/88**
- P9(A): COPY OF THE GO.(MS)107/07/G.EDN.DATED 13/6/07**
- P9(B): COPY OF THE GO.(MS)204/08/GB.EDN.DATED 15/12/08**
- P9(C): COPY OF THE GO(MS)3/09/G.EDN.DATED 5/1/09**
- P10: COPY OF THE GO.(RT) NO.1977/09/GENERAL EDUCATION DATED 23/5/09**
- P11: COPY OF THE JUDGMENT IN WPC.835/99 OF THE JAMMU & KASHMIR HIGH COURT.**
- P12: WEB SITE COPY OF THE APPLICATION DATED 29/6/2007 SUBMITTED BY THE TRAVANCORE DEVASWOM BOARD CENTRAL SCHOOL, CHAKKUVALLY, SOORANAD P.O., SOORANAD, KUNNATHOOR.**
- P13: COPY OF THE AFFIDAVIT DATED 30/4/08 OF THE SECRETARY TDB SCHOOL, SOORANAD**
- P13(A): COPY OF THE LAND CERTIFICATE OF TDB SCHOOL, SOORANAD**
- P13(B): COPY OF THE ORDER DATED 26/3/2008 SANCTIONING AFFILIATION TO THE TDB CENTRAL SCHOOL, CHAKKUVALLY SOORANAD**
- P14: COPY OF THE APPLICATION SUBMITTED BY THE TDB CENTRAL SCHOOL KADAKKAL TO CBSE**

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**P15: COPY OF LETTER OF CBSE CONSTITUTING THE INSPECTION COMMITTEE
DATED 23/2/2009**

**P16: COPY OF THE APPLICATION SUBMITTED BY THE TDB CENTRAL SCHOOL AT
VETTIKKAVALA, KOLLAM.**

**P17: COPY OF ON LINE CERTIFICATE EVIDENCING THE CONSTITUTION OF THE
INSPECTING COMMITTEE AS ON 27/2/09**

RESPONDENTS' EXHIBIT

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 8578 of 2010

Dated this the 9th day of June, 2015

J U D G M E N T

The learned counsel for the petitioners submits that the matter can be closed reserving the petitioners' liberty to approach this Court if the cause of action revives. Therefore, the writ petition is closed reserving the right of the petitioners to approach this Court if the cause of action revives.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-