

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

WP(C).No. 5874 of 2015 (H)

PETITIONER(S):

**M.M.BASHEER, CHAIRMAN,
ZEENA MEMORIAL EDUCATIONAL AND CHARITABLE TRUST
KULATHUPUZHA, KOLLAM, RESIDING AT NISHAD
KULATHUPUZHA.**

BY ADV. SRI.P.A.AHAMMED

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM 695001**
- 2. DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM 695001.**
- 3. DISTRICT EDUCATIONAL OFFICER,
PUNALUR 691 305.**

BY GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1:** CERTIFIED COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN WPC NO.32180/23011 DATED 8.10.2012
- EXT.P2:** TRUE COPY OF THE VISIT REPORT FORWARDED BY THE DISTRICT EDUCATIONAL OFFICER, PUNALUR TO THE DIRECTOR OF PUBLIC INSTRUCTION
- EXT.P3:** TRUE COPY OF THE SURVEY REPORT FORWARDED BY THE DISTRICT EDUCATIONAL OFFICER, PUNALUR TO THE DIRECTOR OF PUBLIC INSTRUCTION
- EXT.P4:** TRUE COPY OF THE LETTER NO.B1/1329/L.DIS. DATED 9.4.2013 ISSUED BY THE DISTRICT EDUCATIONAL OFFICER, PUNALUR TO THE DIRECTOR OF PUBLIC INSTRUCTION
- EXT.P5:** TRUE COPY OF LETTER NO. 29206/N3/13/G.EDN. DATED 6.6.13 FROM THE GOVERNMENT TO THE DPI
- EXT.P6:** TRUE COPY OF LETTER FROM THE PETITIONER TO THE DEO, PUNALUR DATED 9.10.2013
- EXT.P7:** TRUE COPY OF LAWYERS NOTICE DATED 29.3..2014 ISSUED BY THE PETITIONER TO THE GOVERNMENT

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.5874 of 2015

Dated this the 10th day of April, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"(i) To issue a writ of mandamus or other appropriate writ direction or order commanding the 1st respondent to process the application for NOC submitted along with Ext.P6 letter and to issue necessary orders on the same forthwith in the interest of justice;

and

(ii) Such other reliefs that this Hon'ble Court may deem fit."

2. The learned counsel for the petitioner submits that, in connection with the application submitted for issuance of NOC, some defects were pointed and that the petitioner has already cured all the defects. The prayer is to cause the same to be considered and disposed of within the shortest possible time.

3. In the said circumstances, there will be a direction to the 1st respondent to process the application already submitted by the petitioner for issuance of NOC to start a CBSE School, after

affording an opportunity of hearing to the petitioner, at the earliest, at any rate, within a period of 'two months' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the 1st respondent, for further steps.

The writ petition is disposed of.

Sd/-
P.R. RAMACHANDRA MENON,
JUDGE

sp