

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

WP(C).No. 11893 of 2015 (J)

PETITIONER:

S.SHAJAHAN AGED 49 YEARS
MANAGER, MUKKADA L P SCHOOL, CHANAPPARA P O
KADAKKAL, KOLLAM DIST, PIN-691536

BY ADVS.SRI.ABRAHAM VAKKANAL (SR.)
SRI.PAUL ABRAHAM VAKKANAL
SRI.DIJO SEBASTIAN
SMT.VINEETHA SUSAN THOMAS
SRI.ABY ABRAHAM

RESPONDENTS:

1. THE STATE OF KERALA
REP BY ITS SECRETARY TO GOVERNMENT
GENERAL EDUCATION DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM-695001

2. DIRECTOR OF PUBLIC INSTRUCTION
THIRUVANANTHAPURAM-695001

3. THE DEPUTY DIRECTOR OF EDUCATION, KOLLAM DIST-691009

4. THE DISTRICT EDUCATIONAL OFFICER
PUNALUR, KOLLAM DIST, 691001

5. THE ASSISTANT EDUCATION OFFICER
CHADAYAMANGALAM, KOLLAM DIST-691112

R BY GOVERNMENT PLEADER(SR): ADV.SRI.M A FAYAZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS:

P1:-TRUE COPY OF THE ORDER OF 2ND RESPONDENT DTD 6/3/2012

P2:-TRUE COPY OF THE RESOLUTION OF THE ITTIVA GRAMA PANCHAYATH DTD 29/5/2000

P3:-TRUE COPY OF THE PROPOSAL OF 5TH RESPONDENT ALONGWITH PREFORMA SURVEY REPORT DTD 21/6/2002

P4:-TRUE COPY OF THE COMMUNICATION FROM GOVERNMENT DTD 3/6/2002

P5:-TRUE COPY OF THE APPLICATION FOR UPGRADATION GIVEN BY THE PETITIONER DTD 21/3/2013

P6:-TRUE COPY OF THE ORDER OF 2ND RESPONDENT DTD 24.4.2013

P7:-TRUE COPY OF THE GOVERNMENT ORDER DTD 16/11/2013

P8:-TRUE COPY OF THE GOVERNMENT ORDER DTD 11/2/2013

P9:-TRUE COPY OF THE JUDGMENT IN WPC NO 26133/2014 DTD 9/10/2014

P10:-TRUE COPY OF THE GO RT NO 1257/2015.G.EDN DTD 27/3/2015

P11:-TRUE COPY OF THE CERTIFICATE FROM THE SCHEDULE CASTE DEVELOPMENT OFFICER DTD 6/4/2015

P12:-TRUE COPY OF THE CERTIFICATE FROM HEAD MASTER DTD NIL

P13:TRUE COPY OF THE CERTIFICATE FROM MUKKOOTIL MUSLIM JAMA-ATH DTD 20/2/2015

P14:-TRUE COPY OF THE CERTIFICATE FROM THUDAYANNUR AND THEKKIL MUSLIM JAMA-ATH DTD 20/2/2015

P15:-TRUE COPY OF THE GO RT NO 4340/06/G EDN DTD 5/10/2006

P16:-TRUE COPY OF THE GO MS NO 155/2012/G.EDN DTD 18/5/2012

P17:-TRUE COPY OF THE LETTER FROM NATIONAL COMMISSION FOR MINORITY EDUCATIONAL INSTITUTIONS DTD 30/9/2014

P17(A):TRUE COPY OF THE CERTIFICATE FROM NATIONAL COMMISSION FOR MINORITY EDUCATIONAL INSTITUTIONS DTD 30/9/2014

P18:-TRUE COPY OF THE LETTER FROM 5TH RESPONDENT DTD 12/5/2000

P19:-TRUE COPY OF THE APPLICATION BY PETITIONER DTD 17/6/2000

P20: TRUE COPY OF THE LETTER FROM PRESIDENT OF THE PARENT TEACHER ASSOCIATION DTD 20/3/2013

P21:-TRUE COPY OF THE LETTER FROM PRESIDENT BLOCK PANCHAYATH, CHADAYAMANGALAM DTD 20/3/2013

P22:-TRUE COPY OF THE REVIEW PETITION FILED BY PETITIONER BEFORE THE
1ST RESPONDENT DTD 29/3/2015

P23:-TRUE COPY OF THE REPORT OF 5TH RESPONDENT TO THE 1ST RESPONDENT
DTD 19/1/2015

RESPONDENT(S) ' EXHIBITS:NIL

True Copy/

P A to Judge

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.11893 of 2015
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Dated this the 09th day of April, 2015

JUDGMENT

Petitioner approached the Government by Ext.P22 review under Rule 2B of Chapter V of the Kerala Education Rules in the matter relating to upgradation of aided L.P School as U.P School. Learned counsel for the petitioner submits that the school was closed for summer holidays and transfer certificate has been issued to several students who have completed the 4th standard and hence P22 may be given urgent consideration by the first respondent. Petitioner also relies on certain additional materials substantiating his contentions in support of his claim for upgradation.

2. In view of pendency of Ext.P22 and in the light of urgency urged before this Court, I am of the view, Ext.P22 may be considered within a period of four weeks from the date of receipt of a copy of this judgment after affording an opportunity of hearing to the petitioner. Petitioner shall appear before the Secretary concerned on 28.04.2015. Petitioner shall also make available a copy of the Writ Petition.

The Writ Petition is disposed of. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.