

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

WP(C).No. 15065 of 2015 (S)

PETITIONER:

**MOHAMMED HANEEFA, S/O. ALIKUTTY, AGED 50 YEARS,
THANIKKATTU HOUSE, MANGALAM AMSOM,
KOOTTAYI DESOM, POST KOOTTAYI, TIRUR TALUK,
MALAPPURAM DISTRICT.**

BY ADV. SRI.C.M.MOHAMMED IQUABAL.

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED SECRETARY TO THE EDUCATIONAL DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 2. DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM-695 001.**
- 3. THE REGIONAL DEPUTY DIRECTOR,
HIGHER SECONDARY EDUCATIONAL DEPARTMENT,
POST MALAPPURAM, PIN-676 505.**
- 4. THE ASSISTANT EDUCATIONAL OFFICER,
TIRUR, MALAPPURAM DISTRICT, PIN-676 101.**
- 5. THE REVENUE DIVISIONAL OFFICER,
TIRUR, POST TIRUR, MALAPPURAM DISTRICT-676 101.**
- 6. THE DISTRICT TOWN PLANNER,
MALAPPURAM DISTRICT-676 505.**
- 7. THE MANAGER,
MOULANA MUHAMMEDKUTTY MEMORIAL
HIGHER SECONDARY SCHOOL, POST-KOOTTAYI,
TIRUR, MALAPPURAM DISTRICT-676 505.**

R1 TO R6 BY SR. GOVT. PLEADER SRI.P.I. DAVIS.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

EXHIBIT P1- THE TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 06-11-2014.

EXHIBIT P2- THE TRUE COPY OF THE COMMUNICATION ISSUED TO THE PETITIONER BY THE OFFICE OF THE MINISTER OF EDUCATION DATED 10-12-2014.

EXHIBIT P3- THE TRUE COPY OF THE COMMUNICATION ISSUED TO THE PETITIONER BY THE OFFICE OF THE MINISTER OF EDUCATION DATED 10-12-2014.

EXHIBIT P4- THE TRUE COPY OF THE REPRESENTATION BEFORE THE 5TH RESPONDENT DATED 24-04-2015.

EXHIBIT P5- THE TRUE COPY OF THE COMMUNICATION DATED 26-11-2014.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

ASHOK BHUSHAN, CJ

&

A.M. SHAFFIQUE, J.

W.P (C) No.15065 of 2015

Dated this, the 8th day of July, 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard learned counsel for the petitioner and the learned Government Pleader. No notice is being issued to the 7th respondent in view of the judgment being passed today.

2. Petitioner's grievance in the writ petition is that the 7th respondent who is the Manager of Moulana Muhammedkutty Memorial Higher Secondary School is conducting the school violating the provisions of the Kerala Education Act and Rules. It is submitted that the buildings constructed by the 7th respondent are not in accordance with the regulations contained in the Kerala Education Act and Rules and further, the buildings are in a dangerous condition. The petitioner claimed to have submitted complaints to the Director of Public Instructions. He submits that a complaint was also sent to the State Government which has been forwarded to respondents 2 and 3 for taking appropriate

action.

In the above view of the matter, this writ petition is disposed of giving liberty to the petitioner to file a fresh complaint before the 2nd respondent, who may look into the grievance and take such measures as required by law after giving an opportunity to the 7th respondent to be heard.

(sd/-)

(ASHOK BHUSHAN, CHIEF JUSTICE)

(sd/-)

(A.M.SHAFIQUE, JUDGE)

jsr

