

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 2ND DAY OF JULY 2015/11TH ASHADHA, 1937

WP(C).No. 19926 of 2015 (M)

PETITIONER(S):

**SHIHABUDHEEN AGED 37 YEARS
S/O.LATE C.P.UMMER HAJI, MANAGER, CPAUP SCHOOL
THIRUVIZHAMKUNNU, MANNARKKAD, PALAKKAD DISTRICT.**

**BY ADVS.SRI.T.C.SURESH MENON
SRI.P.S.APPU**

RESPONDENT(S):

- 1. THE STATE OF KERALA
REPRESENTED BY THE SECRETARY TO
GENERAL EDUCATION DEPARTMENT
SECRETARIAT, THIRUVANATHAPURAM-695 001.**
- 2. THE DIREICTOR OF PUBLIC INSTRUCTIONS
THIRUVANATHAPURAM-695 001**
- 3. THE ASSISTANT EDUCATION OFFICER
MANNARKKAD, PALAKKAD-678 582.**

R BY GOVERNMENT PLEADER, SMT. M.J. RAJASREE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
02-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1. TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PTA
DATED 25/3/2003.
- EXT.P2. TRUE COPY OF THE RESOLUTION DATED 28/7/2003.
- EXT.P3. TRUE COPY OF THE SURVEY REPORT DATED 31/3/2003.
- EXT.P4. TRUE COPY OF THE COVERING LETTER DATED 17/12/2003.
- EXT.P5. TRUE COPY OF THE JUDGMENT IN WPC NO.13410/2004 ON THE FILE
OF THE HONOURABLE COURT DATED 30/4/2004.
- EXT.P6. TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PTA
DATED 22/6/2010.
- EXT.P7. TRUE COPY OF THE JUDGMENT IN WPC NO.23940/2011 ON THE FILE
OF THE HONOURABLE COURT DATED 29/9/2011.
- EXT.P8. TRUE COPY OF THE ORDER ISSUED BY THE 2ND RESPONDENT
DATED 24/1/2012.

RESPONDENT(S)' EXHIBITS

nil

// True copy //

das

PA to Judge

A.K.JAYASANKARAN NAMBIAR, J.

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W.P.(C). No. 19926 of 2015

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Dated this the 2nd day of July, 2015

JUDGMENT

The prayer in the writ petition is for an up-gradation of the School of the petitioner from UP School to the High School. I note in this connection that, in a batch of cases, where up-gradation was sought in terms of the provisions of the Right to Children to Free and Compulsory Education Act, 2009, this Court has disposed those writ petitions with certain directions.

On a consideration of the averments in the writ petition, I am of the view that the petitioner would also be entitled to the benefit of the said judgment. Accordingly, the writ petition is disposed of following the judgment dated 18.6.2015 in W.P.(C).No.3060/2014 and connected cases.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE