

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 9TH DAY OF JULY 2015/18TH ASHADHA, 1937

WP(C).No. 20376 of 2015 (V)

PETITIONER(S):

**THE MANAGER, HS AND VHSS AGED 39 YEARS
MANNADY, PATHANAMTHITTA**

BY ADV. SRI.GEORGE POONTHOTTAM

RESPONDENT(S):

**1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO GOVERNMENT
DEPARTMENT OF GENERAL EDUCATION
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM- 695 001**

**2. DIRECTOR OF HIGHER SECONDARY EDUCATION
HOUSING BOARD BUILDINGS, SANTHI NAGAR
THIRUVANANTHAPURAM-695 001**

R BY GOVERNMENT PLEADER, SMT M.J. RAJASREE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 TRUE COPY OF THE GOVERNMENT ORDER DATED 31-7-2014 AND
ANNEXURE 1 ISSUED ALONG WITH THE SAME**
- EXHIBIT P2 TRUE COPY OF THE INTEERIM ORDER PASSED ON 18-08-2014**
- EXHIBIT P3 TRUE COPY OF THE GOVERNMENT ORDER DATED 24-11-2014**
- EXHIBIT P4 TRUE COPY OF THE JUDGMENT DATED 9-4-2015 IN WPC NO 20384 OF
2014 AND CONNECTED CASES**
- EXHIBIT P5 TRUE COPY OF THE REPORT GIVEN TO THE GOVERNMENT BY THE
SIX MEMBER COMMITTEE**

RESPONDENT(S)' EXHIBITS

NIL

// True copy //

PA to Judge

das

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 20376 of 2015

Dated this the 9th day of July, 2015

JUDGMENT

In this writ petition, the petitioner represents a School that has been claiming the grant of Higher Secondary Course, pursuant to the policy decisions taken by the State Government in 2013 and 2014. Pursuant to a judgment dated 09.04.2015 of this Court in W.P.(C).No.20384 of 2014 and connected cases, where the case of the petitioner was directed to be looked into by the Six Member Committee that was constituted by the Government to scrutinise the applications for grant of Higher Secondary Course, the Six Member Committee has now recommended the case of the petitioner's School for the grant of higher Secondary Course. The limited prayer in the writ petitions is for a direction to the Government to pass consequential orders, taking note of the recommendations in favour of the petitioner by the Six Member Committee, as directed in the earlier round of litigation.

2. I have heard the learned counsel for the petitioners and also the learned Government Pleader for the respondents.

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose this writ

petition with a direction to the State Government to consider and pass consequential orders, based on the recommendations of the Six Member Committee in favour of the petitioner's School, within a period of two weeks from the date of receipt of a copy of this judgment.

While passing orders as directed, the Government shall also take note of the fact that the petitioner's School was originally granted the Higher Secondary Course through Ext.P1 Government Order and was subsequently excluded from the grant only on account of the interdiction by this Court in Ext.P2 interim order dated 18.08.2014. The basis for exclusion, pursuant to Ext.P2 order, has now been removed through Ext.P5 recommendation of the six member committee and hence, barring any exceptional circumstances, this would be a school that qualifies for the grant as per the policy of the State Government.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE