

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

FRIDAY, THE 18TH DAY OF SEPTEMBER 2015/27TH BHADRA, 1937

WP(C).No. 28382 of 2015 (W)

PETITIONER(S):

**SR. KARUNNIYA SIC, AGED 59 YEARS,
DAUGHTER OF T.M. THOMAS,
(MANAGER, ST. ANTONY'S ENGLISH MEDIUM LOWER
PRIMARY SCHOOL, NADUKKUNNU), MOTHER PROVINCIAL,
BETHANY SISTERS' PROVINCIALATE, P.O. NALANCHIRA,
THIRUVANANTHAPURAM-695 015.**

**BY ADVS.SRI.V.A.MUHAMMED,
SRI.M.SAJJAD.**

RESPONDENT(S):

- 1. THE STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
- 2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
JAGATHY, THIRUVANANTHAPURAM-695 014.**
- 3. THE DISTRICT EDUCATIONAL OFFICER,
KOTTARAKKARA, KOLLAM DISTRICT-691 506.**
- 4. THE ASSISTANT EDUCATIONAL OFFICER,
VELIYAM, KOLLAM DISTRICT-691 540.**

BY SR. GOVT. PLEADER SMT.M.J. RAJASREE.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 28382 of 2015 (W)

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE NOTIFICATION OF THE 2ND RESPONDENT
DATED 15/07/2013.**
- EXT.P2 COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER
DATED 30/07/2013.**
- EXT.P3 COPY OF THE REPRESENTATION SUBMITTED BEFORE THE
GOVERNMENT.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

ANIL K.NARENDRA, J.

W.P.(C)No.28382 of 2015

Dated this the 18th day of September, 2015

JUDGMENT

The petitioner, who is the Manager of St.Antony's English Medium Lower Primary School, Nadukkunnu, has filed this Writ Petition seeking a writ of mandamus commanding the respondents to grant recognition to the un-recognized Upper Primary and High School sections in that School and also seeking a writ of mandamus commanding the 1st respondent to effectively consider and pass appropriate orders on Ext.P3 representation after affording an opportunity of being heard, within a time limit that may be fixed by this Court.

2. Going by the averments in the Writ Petition the said School was started as un-recognized unaided Lower Primary School and the Lower Primary Section has got recognition since 2004. The petitioner is having un-recognized Upper Primary and High School sections as well. The 2nd respondent issued Ext.P1 notification dated 15.7.2013 for granting recognition to the existing unrecognized Schools on certain conditions. Accordingly the petitioner submitted Ext.P2 application seeking recognition to the un-recognized Upper

Primary and High School sections as well. The petitioner would contend that, though recognition was granted to 308 unrecognized Schools, vide Government Order dated 14.5.2015, the claim made by the petitioner in Ext.P2 was not considered. It was in such circumstances, the petitioner has moved Ext.P3 representation before the Government.

3. I heard the arguments of the learned counsel for the petitioner and also the learned Government Pleader appearing for the respondents.

4. Considering the fact that Ext.P3 representation submitted by the petitioner is pending consideration before the 1st respondent, I deem it appropriate to dispose of this Writ Petition, without going into the merits of the claim made by the petitioner, by directing the 1st respondent to consider and pass appropriate orders on Ext.P3 representation submitted by the petitioner, strictly in accordance with law, as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a certified copy of this judgment, with notice to the petitioner.

Sd/-

ANIL K.NARENDRA, JUDGE

skj