

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

WP(C).No. 30209 of 2015 (A)

PETITIONER(S):

1. JISHNU RAJ.U, AGED 16 YEARS,
S/O. RAJESH.U, 11TH STANDARD STUDENT,
S.JOHNS HIGHER SECONDARY SCHOOL, KAVALAMGADU,
ERNAKULAM DISTRICT,
REPRESENTED BY HIS GUARDIAN SRI.SOORAJ A.A.,AGED 26 YEARS,
S/O. AYYAPPAN A.A, AMMOLICKAL HOUSE, EAST OORAMANA,
NORTH PIRAMADOM P.O., ERNAKULAM DISTRICT.
2. VISHNU MAHESH, AGED 17 YEARS,
S/O. MAHESH O.P., 11TH STANDARD STUDENT,
GOVERNMENT HIGHER SECONDARY SCHOOL, NERIAMANGALAM,
ERNAKULAM DISTRICT,
REPRESENTED BY HIS GUARDIAN SRI.SOORAJ A.A.,AGED 26 YEARS,
S/O. AYYAPPAN A.A, AMMOLICKAL HOUSE, EAST OORAMANA,
NORTH PIRAMADOM P.O., ERNAKULAM DISTRICT.

**BY ADVS.SRI.JAWAHAR JOSE
SRI.ELDHOSE ELIAS**

RESPONDENT(S):

1. THE UNION OF INDIA,
REPESENTED BY THE JOINT SECRETARY TO
THE GOVERNMENT OF INDIA,
SPORTS AND YOUTH WELFARE DEPARTMENT,
DR.RAJENDRA PRASAD ROAD, SHASTHRI BHAVAN,
NEW DELHI - 110 001.
2. THE SCHOOL GAMES FEDERATION OF INDIA,
REPRESENTED BY ITS SECRETARY GENERAL,
CHHATRASAL STADIUM, MODEL TOWN, NEW DELHI - 110 009.
3. THE STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
GENERAL EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

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**4. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
JAGATHI, THIRUVANANTHAPURAM - 695 014.**

**R1 BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
SMT.MINI R.MENON, ADDL.CGSC
R3 & R4 BY GOVERNMENT PLEADER SMT. C.K.SHERIN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 30209 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS

P1 - TRUE COPY OF THE 61ST NATIONAL SCHOOL GAMES CALENDAR 2015-2016.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.30209 of 2015

Dated this the 7th day of October, 2015

JUDGMENT

Petitioners have approached this Court aggrieved by the selection of the “Kerala State team under 19” for participating at the National School Games.

2. According to the petitioners, the selection was made without conducting the District Level as well as the State Level School Sports Festival. It is submitted that the respondents arbitrarily choose certain members to represent the State at the National School Games.

3. Learned Government Pleader submitted that the National School Games scheduled at Srinagar on 8.10.2015 and on account of paucity of time, open selection was made on 30th September and 1st October, 2015. It is further submitted that this was given wide publicity throughout newspaper.

This Court is of the view, such selection is improper as far as it would deny the right of many other competing persons in the

District Level. The competency would be verified only giving opportunity to the every District team to take part in the State Level. However, it is impossible now to hold the District Level Championship to select a team to represent the State in a game Scheduled on 08.10.2015. Therefore, this Court is not intervening with the decision of the respondents. However, for the year after the respondents shall ensure that no State team shall be selected without holding the State Level Competition giving opportunity to all team under the State for selecting a team for National School Games.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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