

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 20TH DAY OF OCTOBER 2015/28TH ASWINA, 1937

WP(C).No. 32079 of 2015 (G)

PETITIONERS :

- 1. AGNA VIVEK, AGED 14 YEARS, (MINOR)
D/O.VINEKANANDHAN, POLICE QUARTERS, ROOM NO.B-7
NADAKKAVU POST, CALICUT-11.**
- 2. BRINDHA BINESH
AGED 14 YEARS(MINOR), D/O.BINESH KUMAR V.P.
ANUGRAHA NOCHIPARAMBATH, KARAPARAMBA
KOZHIKODE-673 010.**
- 3. AYONA JOHNSON, AGED 14 YEARS(MINOR),
D/O.SHERRY JOHNSON, CHAITRAM,
MALAPARAMBA POST, KOZHIKODE 673 009.**
- 4. SWATHI SHANKAR
AGED 14 YEARS(MINOR), D/O.JYOTHI SHANKAR,
SREEKUMAR(H) VELLIYATHODI, GANDHI ROAD, CALICUT-11.**
- 5. THEERTHA P., AGED 14 YEARS(MINOR),
D/O.PRADEEP KUMAR E., ROOM NO.B-85,
POLICE QUARTERS, PAVAMANI ROAD, CALICUT-1.**
- 6. SWETHA SAJEEV
AGED 14 YEARS(MINOR), D/O.SAJEEV PUNATHIL
PANATHIL(H) MORIKKARA POST, KAKKOD, CALICUT.**
- 7. ARUNDHATHI DEVI K.P.
AGED 14 YEARS(MINOR), D/O.PRAMOD K.P.
AVANI KAMMILI PARAMBATH, WESTHILL, KOZHIKODE-5.**

**(PETITIONERS 1 TO 7 ARE MINORS AND REPRESENTED BY
THE MOTHER OF 2ND PETITIONER SANDHY K.
AGED 42 YEARS, W/O.BINESH KUMAR V.P., ANUGRAHA
NOCHIPARAMBATH, KARAPARAMBA, KOZHIKODE-673 010)**

**BY ADVS.SRI.C.K.PRASAD
SMT.K.T.DIVYAMOL**

RESPONDENT(S):

**THE GOVERNMENT OF KERALA
REPRESENTED BY ITS DIRECTOR OF PUBLIC INSTRUCTION
THIRUVANANTHAPURAM - 695 001.
DIRECTORATE OF GENERAL EDUCATION, VAZHUTHAKAD**

BY GOVERNMENT PLEADER SMT. C.K. SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: A TRUE COPY OF THE CERTIFICATE OF MERIT ISSUED TO THE FIRST PETITIONER FOR THE YEAR 2014-15.
- P1(A): A TRUE COPY OF THE CERTIFICATE OF MERIT ISSUED TO THE 2ND PETITIONER FOR THE YEAR 2014-15.
- P1(B): A TRUE COPY OF THE CERTIFICATE OF MERIT ISSUED TO THE 3RD PETITIONER FOR THE YEAR 2014-15.
- P1(C): A TRUE COPY OF THE CERTIFICATE OF MERIT ISSUED TO THE 4TH PETITIONER FOR THE YEAR 2014-15.
- P1(D): A TRUE COPY OF THE CERTIFICATE OF MERIT ISSUED TO THE 5TH PETITIONER FOR THE YEAR 2014-15.
- P1(E) : A TRUE COPY OF THE CERTIFICATE OF MERIT ISSUED TO THE 6TH PETITIONER FOR THE YEAR 2014-15.
- P1(F): A TRUE COPY OF THE CERTIFICATE OF MERIT ISSUED TO THE 7TH PETITIONER FOR THE YEAR 2014-15.
- P2: A TRUE COPY OF THE PETITION FILED BY THE PETITIONERS BEFORE THE CHILD RIGHT COMMISSION DATED 17.4.2015.
- P3: A TRUE COPY OF THE ORDER DATED 20.5.2015 IN CRMP NO.1794/11/LA2/2015/KESCPCR PASSED BY THE CHILD RIGHTS COMMISSION.
- P4: A TRUE COPY OF THE SCHOOL KALOLSAVAM MANUAL, 2008.
- P5: A TRUE COPY OF THE PANCHAVADHYAM RESULT OF HIGHER SECONDARY SCHOOL KALOLSAVAM FOR THE YEAR 2014-15 DATED 25.01.2014.
- P6: A TRUE COPY OF THE PANCHAVADHYAM RESULT OF HIGH SCHOOL KALOLSAVAM FOR THE YEAR 2014-15 DATED 25.01.2014.
- P7: A TRUE COPY OF THE PANCHAVADHYAM RESULT OF HIGH SCHOOL KALOLSAVAM FOR THE YEAR 2013-14 DATED 29.7.2013.
- P8: A TRUE COPY OF THE PANCHAVADHYAM RESULT OF HIGHER SECONDARY KALOLSAVAM FOR THE YEAR 2013-14 DATED 24.7.2013.
- P9: A TRUE COPY OF THE HIGH SCHOOL KALLSAVAM PANCHAVADHAYAM RESULT FOR THE YEAR 2012-13 DATED 21.1.2012.
- P10: A TRUE COPY OF THE PANCHAVADHYAM RESULT IN HIGHER SECONDARY KALOLSAVAAM FOR THE YEAR 2012-13 DATED 19.1.2012

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A.TO JUDGE

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 32079 of 2015

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Dated this the 20th day of October, 2015

J U D G M E N T

The petitioners are the girls students in St.Joseph's Anglo Indian Girls Higher Secondary School, Kozhikode. Their grievance is that there is no separation of Panchavadhyam item in High School and Higher Secondary levels competition for boys and girls. They would submit that the physical ability and biological difference of girls varies from boys and they can't be clubbed together for the purpose of competition.

2. This Court is of the view that the petitioners' grievance require a redressal from the Government. The petitioner also highlights order of the recommendation by the Child Rights Commission. In the light of above, Government shall take appropriate decision as expeditiously as possible taking note of ensuing competitions in various level. The petitioner shall produce judgment along with Ext.P3 before the Secretary, General Education Department, Government of Kerala.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE