

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

THURSDAY, THE 5TH DAY OF FEBRUARY 2015/16TH MAGHA, 1936

WP(C).No. 34554 of 2014 (S)

PETITIONER(S) :

P PRABHAKARAN AGED 62 YEARS
S/O.LATE GOVINDAN NAMBIAR, KAKKARA,
VELLORA AMSOMDESOM
KAKKARA P.O., THALIPARAMBA TALUK, KANNUR DISTRICT.

BY ADVS.SRI.P.R.SREEJITH
SRI.K.V.MANOJ KUMAR
SRI.M.PROMODH KUMAR
SMT.MAYA CHANDRAN

RESPONDENT(S) :

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

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS
THIRUVANANTHAPURAM - 695 014.

3. THE DEPUTY DIRECTOR OF EDUCATION
KANNUR - 670002.

BY GOVERNMENT PLEADER SMT. GIRIJA GOPAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 05-02-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

WP(C).No. 34554 of 2014 (S)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P-1:TRUE COPY OF THE PETITIONER'S
REPRESENTATION DATED 18.9.2012 TO THE EDUCATION
MINISTER WITH ENGLISH TRANSLATION.

EXT.P-2:TRUE COPY OF THE PETITIONER'S
REPRESENTATION DATED 3.10.2012 TO THE CHIEF
MINISTER OF KERALA WITH ENGLISH TRANSLATION.

EXT.P-3: TRUE COPY OF THE FORWARDING LETTER
DATED 12.12.2012 OF THE GENERAL SECRETARY OF
MUSLIM LEAGUE KERALA STATE COMMITTEE WITH ENGLISH
TRANSLATION.

EXT.P-4: TRUE COPY OF LETTER DATED NIL HON'BLE
CHIEF MINISTER FORWARDING THE REPRESENTATION TO
THE 1ST RESPONDENT WITH ENGLISH TRANSLATION.

EXT.P-5: TRUE COPY OF THE 3RD RESPONDENT'S
FEASIBILITY REPORT DATED 23.5.2013 TO THE 2ND
RESPONDENT ALONG WITH THE REPORT OF DEPUTY
EDUCATIONAL OFFICER, PAYYANNUR AND AFFIDAVIT
SWORN BY THE PETITIONER WITH ENGLISH TRANSLATION.

EXT.P-6: TRUE COPY OF THE PETITIONER'S
REPRESENTATION DATED 5.7.2014, REQUESTING TO
INITIATE FURTHER ACTIONS IN THE LIGHT OF EXT.P5
REPORT WITH ENGLISH TRANSLATION.

ASHOK BHUSHAN , Ag. CJ,
&
A.M.SHAFFIQUE, J.

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W.P. (C) No. 34554 of 2014 – S
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Dated this the 5th day of February, 2015

JUDGMENT

Ashok Bhushan, Ag.CJ.

Heard the learned counsel for the petitioner.

2. This Writ Petition has been filed as a public interest litigation seeking a direction to the first respondent to pass orders pursuant to Exts. P5 and P6 granting sanction for upgrading Kakkara Gandhi Smaraka U.P. School to High School, after affording the petitioner an opportunity of being heard, if so found for providing necessary infrastructure, within a shortest time frame.

3. Petitioner claims to be the President of Grama Vikasana Samithi. Learned counsel for the petitioner submitted that as per

Ext. P5 feasibility report has been submitted by the Deputy Director of Education, Kannur, on the matter, along with the report of the Deputy Educational Officer, Payyannur. But, pursuant to Ext. P5, further action has not been taken. Petitioner claims to have submitted a representation as Ext. P6.

4. The question of upgradation of an Upper Primary School as High School is a question of policy Scheme of the State Government and it is for the State Government to consider the and take appropriate decision. We see no reason to issue any direction as prayed for in the present Writ Petition, at the instance of the petitioner.

With this observation this Writ Petition is closed.

ASHOK BHUSHAN ,
Ag. CHIEF JUSTICE

A.M.SHAFFIQUE,
JUDGE

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