

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

WP(C).No.34968 of 2014 (U)

PETITIONER:

**UTHARA RAJEEV,AGED 16 YEARS,
D/O.RAJEEV,KANDASSERY HOUSE,GURUVAYOOR POST,
CHAVAKKAD TALUK,THRISSUR DISTRICT,
REPRESENTED BY HER GUARDIAN AND FATHER RAJEEV,
AGED 50 YEARS,S/O.BALAKRISHNAN,KANDASSERY HOUSE,
GURUVAYOOR POST,CHAVAKKAD TALUK,THRISSUR DISTRICT.**

BY ADV. SRI.RAJIT

RESPONDENTS:

- 1. GENERAL CONVENER,STATE YOUTH FESTIVAL,
DEPARTTMENT OF EDUCATION,
THIRUVANANTHAPURAM-695001.**
- 2. DEPUTY DIRECTOR OF EDUCATION
THRISSUR-680001.**
- 3. CHAIRMAN,APPEAL COMMITTEE,
THRISSUR DISTRICT KERALA SCHOOL KALOISAVAM,
THRISSUR-680001.**

BY SENIOR GOVT. PLEADER SRI.K.C.VINCENT.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No.34968 of 2014 (U)

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT-P1: COPY OF THE ORDER PASSED BY THE 3RD RESPONDENT.

**EXHIBIT-P2: COPY OF THE CERTIFICATES ISSUED TO THE PETITIONER FOR HER
PERFORMANCE IN VARIOUS CULTURAL ACTIVITIES.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

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P.R. RAMACHANDRA MENON, J.
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W.P.(C). No. 34968 of 2014
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Dated this the 7th day of January, 2015

JUDGMENT

The grievance of the petitioner is mainly with regard to the rejection of the appeal preferred against the decision of the 'judging committee' in respect of 'Kerala Natanam' performed by the petitioner in the District School Kalolsavam. It is stated that, despite the best performance put in by the petitioner, she was awarded only the 8th position. The case is that, there was some defect in the 'audio system' provided in the stage, which adversely effected the performance.

2. Heard the learned Government Pleader as well, who submits on instruction and also with reference to the materials on record that there is absolutely no merit or bonafides in the writ petition; that no defect was brought to the notice of the 'Stage Manager' and further that no such event has been reported by the 'Stage Manager' as

well. The performance made by all the participants was properly evaluated by the judging committee, who were well experienced in the particular event and duly qualified. The merit rating was done strictly in conformity with the relevant guidelines. The learned Government Pleader also points out that, there is substantial difference between the marks obtained by the petitioner and the first prize winner, to an extent of 18.

3. After hearing both the sides, this Court finds that, it is not a fit case to call for interference invoking the discretionary jurisdiction under Article 226 of the Constitution of India.

The writ petition stands dismissed accordingly.

Sd/-
P.R. RAMACHANDRA MENON
JUDGE