

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

TUESDAY, THE 29TH DAY OF DECEMBER 2015/8TH POUSHA, 1937

WP(C).No. 39948 of 2015 (P)

PETITIONER(S):

**SONIA SHAJI, AGED 17 YEARS
REPRESENTED BY NEXT FRIEND (FATHER) SHAJI K.R
GRACE APARTMENTS
DOOR NO.B, AISWARYA ROAD, KONTHURUTHY
THEVARA, KOCHI 13.**

**BY ADVS.SRI.B.VINOD
SRI.I.V.PRAMOD**

RESPONDENT(S):

- 1. GENERAL CONVENER
28TH ERNAKULAM DISTRICT SCHOOL KALOLSAVAM
OFFICE OF THE DEO
ERNAKULAM 682 011.**
- 2. APPEAL COMMITTEE
2015 SUB DISTRICT SCHOOL KALOLSVAM
REPRESENTED BY ITS CHAIRMAN & DEO - ERANAKULAM-682011.**
- 3. PROGRAMME COMMITTEE CONVENER
28TH ERNAKULAM REVENUE DISTRICT KALOLSAVAM
MARBASIL HIGHER SECONDARY SCHOOL
KOTHAMANGALAM 686 691.**

BY GOVERNMENT PLEADER SRI MOHAMED SAVAD A

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
29-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: THE TRUE IMAGE OF THE PLAGUE OF HONOUR PRESENTED TO THE PETITIONER DATED 17/10/2015.
- P2: A TRUE COPY OF THE RESULT OF HSS GIRLS BHARATANATYAM EVENT FOR THE 55 OF THE KERALA SCHOOL KALOLSAVAM PUBLISHED IN THE WEBSITE OF THE DIRECTOR OF PUBLIC INSTRUCTIONS.
- P3: A TRUE COPY OF THE NEWS ITEM PUBLISHED IN THE NEW INDIA EXPRESS DATED 18/10/2015.
- P4: A TRUE COPY OF THE NEWS ITEM PUBLISHED IN MATHRUBHOOMI DAILY DATED 18/10/2015.
- P5: A TRUE COPY NEW ITEM PUBLISHED IN MATHRUBHOOMI DATED 5/01/2014.
- P6: A TRUE COPY OF THE RESULTS OF ERNAKULAM SUB DISTRICT KALOLSAVAM 2015-16 FOR HSS GIRLS BHARATANATYAM.
- P7: A TRUE COPY OF ORDER NO.B4/8768/2015 DATED 21/12/2015.
- P8: A TRUE COPY OF THE EVENT SCHEDULE OF THE 28TH ERNAKULAM REVENUE DISTRICT SCHOOL KALOLSAVAM.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A TO JUDGE

LSN

ANIL K. NARENDRA, J.

W.P.(C). No.39948 of 2015

Dated this the 29th day of December, 2015

JUDGMENT

The petitioner participated in Bharatanatyam competition in the Ernakulam Sub District in the Higher Secondary School Kalolsavam. The grievance of the petitioner in this writ petition is against Ext.P7 order by which the appeal filed by her stands rejected on the ground that there is a difference of 21 marks between the petitioner and the participant, who secured first position. Ext.P7 order states that the Appeal Committee found no grounds for interfering with the decision taken by the Judges, who evaluated the performance of the petitioner and other participants.

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

3. A reading of Ext.P7 order passed by the Appeal committee would show that it was after considering the contentions raised by the petitioner, the said committee came to the conclusion that there is absolutely no

illegality or irregularity in the assessment of the petitioner's performance by the Judges. The Appeal Committee found that there is a difference of 21 marks between the petitioner and the participant who secured first position.

5. This Court under Article 226 of the Constitution of India is not sitting in appeal over the decision taken by the second respondent Appeal Committee. In the absence of any vitiating circumstances pointed out in the decision making process carried out by the second respondent while issuing Ext.P7, no interference under Article 226 is warranted.

In the result, this writ petition fails and the same is dismissed.

Sd/-ANIL K. NARENDRA
Judge

lsn