



2025:KER:24445

WP(C) NO. 10138 OF 2025

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

FRIDAY, THE 21ST DAY OF MARCH 2025 / 30TH PHALGUNA, 1946

WP(C) NO. 10138 OF 2025

PETITIONER:

THAYINERI MUSLIM EDUCATION SOCIETY,
THAYINERI MUSLIM EDUCATION SOCIETY,
THAYINERI, P.O. PAYYANNUR, KANNUR,
REPRESENTED BY ITS SECRETARY, S. ISMAIL,
PIN - 670307

BY ADVS.
MUDASSER AHAMED
MUNEER AHMED
JAYKAR.K.S.

RESPONDENTS:

- 1 PAYYANNUR MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,
PAYYANNUR, KANNUR, PIN - 670307
- 2 DISTRICT EDUCATION OFFICER,
OFFICE OF THE DISTRICT EDUCATION OFFICER,
TALIPARAMBA, KANNUR, PIN - 670141

*ADDL.3 ARSAL A.K.
AGED 47 YEARS, S/O HAMSA,
RIFAS HOUSE, KARA, THAYINERI, P.O. ANNUR,
KANNUR DISTRICT, PIN 67037



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***ADDL.R3 IS IMPEADED AS PER ORDER DATED
21.03.2025 IN I.A.NO.1/2025 IN WP(C)
NO.10138/2025.**

**BY ADV
ADV RAMESAN
SMT.DEEPA.V, G.P**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 21.03.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:**



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JUDGMENT

The petitioner is a Society and is running a school. For the purpose of obtaining a fitness certificate for the school, Ext.P8 application has been submitted by them on 07.12.2024. The limited relief sought by the petitioner is to direct the 1st respondent Municipality to consider the same and pass appropriate orders on the same.

2. The learned Counsel appearing for the additional 3rd respondent pointed that the school is running without any valid fitness certificate and without complying any statutory requirements. The additional 3rd respondent already filed W.P(C) No.3338 of 2025 against the functioning of the said school. However, after considering all the relevant aspects I am of the view that, since the petitioner submitted an application, it is only proper that a decision thereon be taken within a time frame.

Accordingly, this writ petition is disposed of directing the



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1st respondent to take up Ext.P8 and appropriate orders thereon be passed, after hearing the petitioner within a period of one month from the date of receipt of a copy of this judgment.

**Sd/ -
ZIYAD RAHMAN A.A.
JUDGE**

SCS



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APPENDIX OF WP(C) 10138/2025

PETITIONER EXHIBITS

- | | |
|-------------------|--|
| Exhibit P1 | THE TRUE COPY OF THE STRUCTURAL STABILITY CERTIFICATE DATED 17-01-2025 ISSUED BY AN ENGINEER MR. HARI PADANABHAN |
| Exhibit P2 | THE TRUE COPY OF THE FITNESS CERTIFICATE ISSUED TO THE PETITIONER BY THE ASSISTANT ENGINEER OF PAYYANNUR MUNICIPALITY DATED 26-05-2016 |
| Exhibit P3 | THE TRUE COPY OF THE APPLICATION FOR FITNESS CERTIFICATE DATED 12-04-2023 SUBMITTED BY THE PETITIONER BEFORE THE PAYYANNUR MUNICIPALITY ALONG WITH THE RECEIPT FOR PAYMENT OF FEE |
| Exhibit P4 | THE TRUE COPY OF THE APPLICATION FOR FITNESS CERTIFICATE DATED 01-02-2024 SUBMITTED BY THE PETITIONER BEFORE THE PAYYANNUR MUNICIPALITY ALONG WITH THE RECEIPT FOR PAYMENT OF FEE |
| Exhibit P5 | THE TRUE COPY OF THE LETTER DATED 06-02-2024 ISSUED BY THE DISTRICT EDUCATION OFFICER, TALIPARAMBA TO THE PETITIONER |
| Exhibit P6 | THE TRUE COPY OF THE APPLICATION DATED 22-02-2024 SUBMITTED BY THE PETITIONER BEFORE THE PRINCIPAL SECRETARY TO THE STATE GOVERNMENT, PUBLIC EDUCATION DEPARTMENT |
| Exhibit P7 | THE TRUE COPY OF THE LETTER DATED 04- |



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**03-2024 ISSUED BY DIRECTOR OF PUBLIC
EDUCATION TO THE PETITIONER**

Exhibit P8

**THE TRUE COPY OF THE APPLICATION DATED
07-12-2024 SUBMITTED BY THE PETITIONER
BEFORE THE PAYYANNUR MUNICIPALITY
ALONG WITH THE RECEIPT FOR PAYMENT OF
FEE**

RESPONDENT ANNEXURES

Annexure R3

**TRUE COPY OF THE ORDER OF THIS HON'BLE
COURT DATED 28.01.2025 IN W.P(C)
NO.3338 OF 2025**