

Ashitha Vs. the General Convenor, High School Wing, Kollam Revenue Distr

Ashitha Vs. the General Convenor, High School Wing, Kollam Revenue Distr

SooperKanoon Citation : sooperkanoon.com/1011543

Court : Kerala

Decided On : Dec-28-2012

Judge : Honourable Mr.Justice K.Vinod Chandran

Appellant : Ashitha

Respondent : The General Convenor, High School Wing, Kollam Revenue Distr

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN FRIDAY, THE 28TH DAY OF DECEMBER 2012 7TH POUSHA 193 WP(C).No. 31378 of 2012 (V) ----- PETITIONER(S): ----- ASHITHA S., MINOR 1 YEARS, STANDARD X MADATHIL BABY JOHN SHASHTIBDHAPOORTHY MEMORIAL HIGHER SECONDARY SCHOOL, THAZHAVA KARUNAGAPPALY, KOLLAM, REPRESENTED BY HER MOTHER AND GUARDIAN SAJIDA T.J.

D/O.FATHIMA BEEVI, KUTTIPURATHU HOUSE, NJAKKANAL, OACHIRA VILLAGE, KARUNAGAPPALLY, KOLLAM. BY ADV. SRI.B.MOHANLAL RESPONDENT(S): ----- 1. THE GENERAL CONVENOR, HIGH SCHOOL WING KOLLAM REVENUE DISTRICT KERALA SCHOOL KALOLSAVAM 2012 13 (THE DEPUTY DIRECTOR OF EDUCATION, THEVALLY, KOLLAM

009. .

2. THE APPEAL COMMITTEE, HIGH SCHOOL WING, KARUNAGAPPALLY SUB DISTRICT KERALA SCHOOL KALOLSAVAM 2012 13 (THE DISTRICT EDUCATIONAL OFFICER, COLLECTORATE, KOLLAM

013. .

3. THE GENERAL CONVENOR, HIGH SCHOOL WING KARUNAGAPPALLY SUB DISTRICT KERALA SCHOOL KALOLSAVAM 2012 13 (THE ASSISTANT EDUCATIONAL OFFICER, KARUNAGAPPALLY P.O., KOLLAM DISTRICT- 691

114) 4. THE HEADMASTER, GOVERNMENT HIGH SCHOOL, AZHEEKAL, KARUNAGAPPALLY, KOLLAM

118. BY GOVERNMENT PLEADER SMT.C.K.SHERIN THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28-12-2012, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: MJL WP(C).No. 31378 of 2012 (V) APPENDIX PETITIONER'S EXHIBITS: EXHIBIT P1. THE TRUE COPY OF THE CERTIFICATE ISSUED TO THE PETITIONER IN THE EVENT CARTOON FOR THE STATE SCHOOL KALOLSAVAM 2011 12. EXHIBIT P2. THE TRUE COPY OF THE RECEIPT DATED 05 12.2012 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER'S SCHOOL. EXHIBIT P3. THE TRUE COPY OF THE ORDER IN W.P.(C)NO.30900/2012 DATED 20 12.2012 OF THIS HON'BLE COURT. RESPONDENTS' EXHIBITS: NIL /TRUE COPY/ P A TO JUDGE MJL K. VINOD CHANDRAN,J.

----- W.P.(C). NO. 31378 of 2012
----- Dated this the 28th day of December, 2012

JUDGMENT

The petitioner was a contestant in the event 'Cartoon', in the Karunagappally Sub District School Kalotsavam 2012-13. The petitioner having not obtained the required grade, is unable to move on to the next stage of the competition. The petitioner filed an appeal which was not considered by the 2nd respondent. The petitioner's grievance is that despite having not obtained the grade; she be allowed

to participate in the District School Kalotsavam. Comparison of relative merit with respect to art forms and an enquiry into circumstances fortuitous or otherwise with respect to such competitions are not within the premise of this Court. This Court is of the opinion that this is not a fit case to invoke the jurisdiction under Article 226 of the Constitution of India. However, if any appeal has been filed and is pending consideration, the 2nd respondent is duty bound to consider it, if not already done. W.P.(C). NO. 31378 o

2. Writ Petition is dismissed. No Costs. sd/-K.VINOD CHANDRAN JUDGE True Copy P.A to Judge Isn

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com