

Rinald Eden Vs. the State of Kerala

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Court : Kerala

Decided On : Jan-14-2013

Judge : Honourable Mr.Justice Antony Dominic

Appellant : Rinald Eden

Respondent : The State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE ANTONY DOMINIC MONDAY, THE 14TH DAY OF JANUARY 2013 24TH POUSHA 193 WP(C).No. 1326 of 2013 (M) ----- PETITIONER(S): ----- RINALD EDEN, S/O.ANTONY EDEN,AMBATT HOUSE,PIPE LINE ROAD, THAIKKATTUKARA,ALUVA P.O.,ERNAKULAM, STUDYING IN +1,VIDYADIRAJA,VIDYABHAVAN SCHOOL, ALUVA,REP. BY GUARDIAN WILSY EDEN,W/O.ANTONY EDEN, AMBATT HOUSE,PIPE LINE ROAD,THAIKKATTUKARA, ALUVA P.O.,ERNAKULAM. BY ADVS.SRI.C.R.SIVAKUMAR SMT.C.B.BHAGYALEKSHMY RESPONDENT(S): ----- 1. THE STATE OF KERALA, REP. BY THE PRINCIPAL SECRETARY GOVERNMENT OF KERALA,GENERAL EDUCATION DEPARTMENT GOVERNMENT SECRETARIAT,THIRUVANANTHAPURAM-691001.

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS CUM GENERAL CO-ORDINATOR OF KERALA SCHOOL KALOLSAVAM 2012 13 OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTIONS THIRUVANANTHAPURAM-691001.

3. THE DISTRICT EDUCATION OFFICER, OFFICE OF THE DISTRICT EDUCATION OFFICER ERNAKULAM DISTRICT,PIN-682035.

4. THE CHAIRMAN, (THE DEPUTY DIRECTOR (EDUCATION)) DISTRICT APPELLATE COMMITTEE OFFICE OF THE DEPUTY DIRECTOR,ERNAKULAM DISTRICT-682035.

5. MARTIN.P.K., DE PAUL EMHSS,ANGAMALY, ERNAKULAM DISTRICT, PIN-683573.

6. ELDHOPAUL,SNV SANSKRIT HSS NORTH PARAVUR, ERNAKULAM DISTRICT, PIN-683513. BY SRI.GEORGE MECHENIL, GOVERNMENT PLEADER THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14-01-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: AS WP(C).No. 1326 of 2013 (M) APPENDIX PETITIONER(S) EXHIBITS: EXHIBIT P1: THE DETAILS OF THE PARTICIPANTS OF THE PETITIONER'S TEAM FOR 'VRUNDA VADYAM'. EXHIBIT P2: THE RESULT ISSUED IN 'ERNAKULAM DISTRICT KALOLSAVAM 2012 13' DATED 05 01/2013. EXHIBIT P3: TRUE COPY OF THE ORDER DATED 09 01/2013 OF THE 4TH RESPONDENT. EXHIBIT P4: TRUE COPY OF THE AVAILABLE 4 CERTIFICATES OF THE PETITIONER. RESPONDENTS' EXHIBITS: NIL /TRUE COPY/ P.A.TO JUDGE AS ANTONY DOMINIC, J.

===== W.P.(C) NO. 1326 OF 201.===== Dated this the 14th day of January, 2013

JUDGMENT

In the Ernakulam District Youth Festival, petitioner's team participated in Vrunda vadyam and secured 4th place with A Grade. They filed appeal and that was rejected by Ext.P3 order. It is challenging these proceedings, the writ petition is filed.

2. The first contention raised by the learned counsel for the petitioner is that among the three judges, two of them were not having any expertise in instrument music. First of all, petitioner has neither disclosed the details of the judges nor has he impleaded those judges. In such circumstances, I cannot accept this plea. That apart, the appellate authority has found in Ext.P3 that the judges had competence to assess the performance of the participants. Apart from all this, a reading of Ext.P3 shows that while the first prize winning team secured 247 marks, petitioner's team secured only 231 marks. In view of the marks, I am unable to interfere with Ext.P3. Writ petition is dismissed. ANTONY DOMINIC, JUDGE Rp

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