

The Managing Trustee, vs State of Kerala,

The Managing Trustee, vs State of Kerala,

SooperKanoon Citation : sooperkanoon.com/1281849

Court : Kerala

Decided On : Feb-21-2025

Judge : Honourable Mr. Justice Harisankar V. Menon

Appeal No. : WP(C)/15912/2019

Appellant : The Managing Trustee,

Respondent : State of Kerala,

Judgement :

C.R.

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON FRIDAY, THE 21ST DAY OF FEBRUARY 2025 / 2ND PHALGUNA, 1946 WP(C) NO.16051 OF 2019 PETITIONER: AL-AMEEN INTERNATIONAL PUBLIC SCHOOL EDATHALA-P.O., ALUVA IN ERNAKULAM DISTRICT-683 564, REPRESENTED BY THE PRINCIPAL MS.SUMINA.H., AGED 38 YEARS, DAUGHTER OF MR. HABEEBULLA, RESIDING AT EMPRESS PARK, VENNALAA, ERNAKULAM DISTRICT-682 028

BY ADVS. TPM.IBRAHIM KHAN (SR.) SMT.P.J.RAZIA BEEVI
RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY ITS
SECRETARY, DEPARTMENT OF LOCAL SELF GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM-695 001. 2 THE
ASSISTANT ENGINEER, EDATHALA GRAMA PANCHAYATH, L.S.G.D.
SECTION, EDATHALA P.O., ALUVA, ERNAKULAM DISTRICT-683 564.
3 THE ASSISTANT EXECUTIVE ENGINEER, LOCAL SELF
GOVERNMENT DEPARTMENT, L.S.G.D SUB DIVISION,
VAZHAKKULAM, KEEZHMAD ROAD, ALUVA, ERNAKULAM
DISTRICT-683 105.

BY ADVS. SRI.RAAJESH S.SUBRAHMANIAN, SC, EDATHALA
GRAMA PANCHAYATH SHRI.G.SANTHOSH KUMAR (P), SC,
EDATHALA GRAMA PANCHAYATH OTHER PRESENT:
SRI.E.G.GORDEN, SR.GP THIS WRIT PETITION (CIVIL) HAVING
BEEN FINALLY HEARD ON 21.02.2025, ALONG WITH WP(C)
NOS.9642/2019, 10699/2019 AND CONNECTED CASES, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE HARISANKAR V.
MENON FRIDAY, THE 21ST DAY OF FEBRUARY 2025 / 2ND
PHALGUNA, 1946 WP(C) NO.9642 OF 2019 PETITIONER: SREE
NARAYANA EDUCATIONAL SOCIETY, VADAKKEVILA, KOLLAM
DISTRICT-691010, REP.BY ITS SECRETARY BY ADVS.
K.B.GANGESH SMT.ATHIRA A.MENON RESPONDENTS:

1 STATE OF KERALA REP BY IT SECRETARY, DEPARTMENT OF
LOCAL SELF GOVERNMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695 001 2 THE ASSISTANT EXECUTIVE
ENGINEER, BLOCK PANCHAYATH, MUKHATHALA P.O., KOLLAM
DISTRICT-691 577 SRI.E.G.GORDEN, SR.GP THIS WRIT PETITION
(CIVIL) HAVING BEEN FINALLY HEARD ON 21.02.2025, ALONG WITH

WP(C) NO.16051/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON FRIDAY, THE 21ST DAY OF FEBRUARY 2025 / 2ND PHALGUNA, 1946 WP(C) NO.10699 OF 2019 PETITIONERS: 1 THE MANAGER NATIONAL PUBLIC SCHOOL, THAZHUTHALA, MUKHATHALA.P.O, KOLLAM DISTRICT-691577. 2 THE MANAGER SIDDHARATHA CENTRAL SCHOOL, PALLIMON.P.O, NEDUMPANA, KOLLAM-691576. 3 THE MANAGER, SABARIGIRI ENGLISH SCHOOL, ANCHAL.P.O, KOLLAM DISTRICT-691306. 4 THE MANAGER SABARIGIRI SENIOR SECONDARY SCHOOL, PUNALUR, KOLLAM-691306. 5 THE MANAGER, SREE NARAYANA CENTRAL SCHOOL, NEDUNGOLAM.P.O., PARAVOOR, KOLLAM.

6 THE MANAGER ST.GREGORIOUS CENTRAL SCHOOL, KUTHIRAPPANTHY.P.O, THAZHAVA, KARUNAGAPPALLY, KOLLAM DISTRICT-690523. 7 THE MANAGER SREE GURUDEVA CENTRAL SCHOOL, KUDIKKODU, NEDUMANCAVU.P.O, KOLLAM DISTRICT-691509. BY ADVS. K.B.GANGESH SMITHA CHATHANARAMBATH ATHIRA A.MENON AMAL S.KUMAR RESPONDENTS: 1 STATE OF KERALA REP BY ITS SECRETARY, DEPARTMENT OF LOCAL SELF GOVERNMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001.

2 THE ASSISTANT EXECUTIVE ENGINEER BOOK PANCHAYATH, MUKHATHALA.P.O, KOLLAM DISTRICT-691577. 3 THE ASSISTANT EXECUTIVE ENGINEER BLOCK PANCHAYATH, ANCHAL.P.O., KOLLAM DISTRICT-691306. 4 THE ASSISTANT EXECUTIVE ENGINEER BLOCK PANCHAYATH, ITHIKKARA, KOLLAM DISTRICT-691577 5 THE ASSISTANT EXECUTIVE ENGINEER, BLOCK PANCHAYATH, OACHIRA, KOLLAM DISTRICT-690525 6 THE ASSISTANT EXECUTIVE ENGINEER BLOCK PANCHAYATH,

KOTTARAKARA, KOLLAM DISTRICT-691506 SRI.E.G.GORDEN,
SR.GP THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON

21.02.2025, ALONG WITH WP(C)NO.16051/2019 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE HARISANKAR V.
MENON FRIDAY, THE 21ST DAY OF FEBRUARY 2025 / 2ND
PHALGUNA, 1946 WP(C) NO.12246 OF 2019 PETITIONERS: 1 AL
HUDA CENTRAL SCHOOL, MALAYIL, KADAMPUZHA P.O,
MALAPPURAM DISTRICT - 676 553, REPRESENTED BY ITS
MANAGER MOIDEENKUTTY. P, AGED 62 YEARS, SON OF
KOYA(LATE), (RESIDING AT PULICKAL HOUSE, KADAMPUZHA P.O,
MALAPPURAM DISTRICT - 676 553) 2 A.E.S. CENTRAL SCHOOL
ALLOOR, KANMANAM THEKKUMURI P.O, MALAPPURAM DISTRICT -
676 551, REPRESENTED BY ITS MANAGER T. K. ABDU RAHMAN,
AGED 54 YEARS, SON OF ALAVIKUTTY HAJI (LATE), (RESIDING AT
THAYYUIL KOTHAKATH HOUSE, ALOOR, KANMANAM THEKKUMURI
P.O, MALAPPURAM DISTRICT - 676 551) 3 IRSHAD ENGLISH
SCHOOL PANTHA VOOR. P.O, ALAMKODE, MALAPPURAM DISTRICT
- 679 585, REPRESENTED BY ITS MANAGER VARIYATH
MUHAMMEDALI, AGED 49 YEARS, SON OF MOIDUNNY MUSLIYAR
(LATE), RESIDING AT CHEMBALAVALLAPIL HOUSE,
P.O.SUKAPURAM, EDAPPAL, MALAPPURAM DISTRICT - 679 576)

BY ADV P.J.RAZIA BEEVI RESPONDENTS: 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF LOCAL
SELF GOVERNMENT, SECRETARIAT, THIRUVANANTHAPURAM -
695 001. 2 THE ASSISTANT EXECUTIVE ENGINEER, KUTTIPPURAM
BLOCK PANCHAYATH, THOZHUVANNOOR, MALAPPURAM

DISTRICT - 676 552. 3 THE ASSISTANT EXECUTIVE ENGINEER, TANUR BLOCK PANCHAYATH, KADALUNDI ROAD, MALAPPURAM DISTRICT - 676 302 4 THE ASSISTANT EXECUTIVE ENGINEER PERUMBADAPPU BLOCK PANCHAYATH, MALAPPURAM DISTRICT - 689 574 BY SRI.E.G.GORDEN, GOVERNMENT PLEADER THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21.02.2025, ALONG WITH WP(C) NO.16051/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON FRIDAY, THE 21ST DAY OF FEBRUARY 2025 / 2ND PHALGUNA, 1946 WP(C) NO.12523 OF 2019 PETITIONER: HOLY TRINITY SCHOOL (SENIOR SECONDARY), KANJIKODE WEST, PALAKKAD DISTRICT 678 623, REPRESENTED BY ITS CORRESPONDENT JOSEPH K.V, SON OF LATE VARGHESE IDICULA, RESIDING AT TRINITY VILLA, 68, CHANDRANAGAR, PALAKKAD DISTRICT 678 007.

BY ADVS. TPM.IBRAHIM KHAN (SR.) SMT.P.J.RAZIA BEEVI RESPONDENTS: 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY, DEPARTMENT OF LOCAL SELF GOVERNMENT, SECRETARIAT, THIRUVANANTHAPURAM 695 001. 2 THE ASSISTANT EXECUTIVE ENGINEER, MALAMPUZHA BLOCK PANCHAYATH, MALAMPUZHA, OFFICE OF THE MALAMPUZHA BLOCK PANCHAYAT, N.H 47, KOOTTUPAATHA, PALAKKAD DISTRICT 678 007. BY SRI.E.G.GORDEN, SR.GP THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21.02.2025, ALONG WITH WP(C) NO.16051/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON FRIDAY, THE 21ST DAY OF FEBRUARY 2025 / 2ND PHALGUNA, 1946 WP(C) NO.15073 OF 2019 PETITIONER: SECRETARY, CHINMAYA VIDYALAYA, THAZHATHANGADY P.O, KOTTAYAM 686 005. BY ADVS. JOMY GEORGE DEEPAK MOHAN RESPONDENTS: 1 STATE OF KERALA, REPRESENTED BY CHIEF SECRETARY, GOVERNMENT SECRETARIAT, TRIVANDRUM 695 001. 2 THE ASSISTANT ENGINEER, L.S.G.D SECTION, MUNICIPAL OFFICE, KOTTAYAM 686 001. 3 THE ASSISTANT EXECUTIVE ENGINEER, MUNICIPAL OFFICE, KOTTAYAM 686 001. BY SRI.E.G.GORDEN, SR.GP THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON

21.02.2025, ALONG WITH WP(C)NO.16051/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON FRIDAY, THE 21ST DAY OF FEBRUARY 2025 / 2ND PHALGUNA, 1946 WP(C) NO.15909 OF 2019 PETITIONER: MANAGING TRUSTEE AND CORRESPONDENT, MARIAN SENIOR SECONDARY SCHOOL, VADAVATHOOR P.O, KALATHIPADY, KOTTAYAM DISTRICT. BY ADVS. JOMY GEORGE SRI.DEEPAK MOHAN RESPONDENTS: 1 STATE OF KERALA, REPRESENTED BY CHIEF SECRETARY, GOVERNMENT SECRETARIAT, TRIVANDRUM,695 001. 2 THE ASSISTANT ENGINEER, L.S.G.D. SECTION, VIJAYAPURAM GRAMA PANCHAYAT, VADAVATHOOR P.O, KOTTAYAM DISTRICT, 686 010.

3 ASSISTANT EXECUTIVE ENGINEER, PALLOM BLOCK PANCHAYAT, VADAVATHOOR P.O, KOTTAYAM DISTRICT-686 010. BY ADVS. R2 - SRI.GIKKU JACOB SRI.E.G.GORDEN, SR. GOVT.

PLEADER THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21.02.2025, ALONG WITH WP(C)NO.16051/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON FRIDAY, THE 21ST DAY OF FEBRUARY 2025 / 2ND PHALGUNA, 1946 WP(C) NO.15912 OF 2019 PETITIONERS: THE MANAGING TRUSTEE, EXCELSIOR ENGLISH SCHOOL, ILLIEKAL KOTTAYAM WEST - 686003, KOTTAYAM DISTRICT. BY ADVS. JOMY GEORGE DEEPAK MOHAN RESPONDENTS: 1 STATE OF KERALA, REPRESENTED BY CHIEF SECRETARY, GOVERNMENT SECRETARIAT, TRIVANDRUM-695001. 2 THE SECRETARY, MUNICIPAL OFFICE, KOTTAYAM-686001. 3 THE ASSISTANT ENGINEER, MUNICIPAL OFFICE, KOTTAYAM-686001. BY SRI.E.G.GORDEN, SR.GP THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON

21.02.2025, ALONG WITH WP(C)NO.16051/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON FRIDAY, THE 21ST DAY OF FEBRUARY 2025 / 2ND PHALGUNA, 1946 WP(C) NO.16818 OF 2019 PETITIONER: K.VIJAYAN, AGED 60 YEARS, CHAIRMAN, BLUE MOUNT EDUCATIONAL TRUST, THONNAKKAL, THIRUVANANTHAPURAM-695 317 BY ADV P.ANOOP (MULAVANA) RESPONDENTS: 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY, DEPARTMENT OF LOCAL SELF GOVERNMENT, SECRETARIAT,

THIRUVANANTHAPURAM-695 001. 2 THE ASSISTANT EXECUTIVE OFFICER, BLOCK PANCHAYATH, POTHANCODE, THIRUVANANTHAPURAM-695 001. BY SRI.E.G.GORDEN, SR.GP THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21.02.2025, ALONG WITH WP(C)NO.16051/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON FRIDAY, THE 21ST DAY OF FEBRUARY 2025 / 2ND PHALGUNA, 1946 WP(C) NO.21619 OF 2019 PETITIONER: MANAGER CARMEL RESIDENTIAL SCHOOL,KADALAVILA, NELLIKKUNNAM.P.O,KOTTARAKARA,KERALA. BY ADVS. K.B.GANGESH SMT.SMITHA GANGESH SMT.ATHIRA A.MENON SRI.AMAL S. KUMAR SHRI.AJMAL AHMED R. RESPONDENTS:

1 STATE OF KERALA, REP BY ITS SECRETARY, DEPARTMENT OF LOCAL SELF GOVERNMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 2 THE ASSISTANT EXECUTIVE ENGINEER, BLOCK PANCHAYATH KOTTARAKKARA, NELLIKKUNNAM.P.O,KOLLAM DISTRICT-691520. BY SRI.E.G.GORDEN, SR.GP THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21.02.2025, ALONG WITH WP(C) NO.16051/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON FRIDAY, THE 21ST DAY OF FEBRUARY 2025 / 2ND PHALGUNA, 1946 WP(C) NO.21745 OF 2019 PETITIONER: MANAGER, SFS PUBLIC SCHOOL AND JUNIOR COLLEGE,

ETTUMANOOR P.O., KOTTAYAM, KERALA- 686 631. BY ADVS. JOMY GEORGE SRI.DEEPAK MOHAN RESPONDENTS: 1 STATE OF KERALA, REPRESENTED BY CHIEF SECRETARY, GOVERNMENT SECRETARIAT, TRIVANDRUM - 695 001. 2 THE ASSISTANT ENGINEER, L.S.G.D.SECTION, ETTUMANOOR MUNICIPAL OFFICE, KOTTAYAM - 686 631. 3 THE ASSISTANT EXECUTIVE ENGINEER, BLOCK OFFICE, ETTUMANOOR, KOTTAYAM - 686 631. 4 ETTUMANOOR MUNICIPALITY, ETTUMANOOR P.O., KOTTAYAM - 686 631, REPRESENTED BY ITS SECRETARY. BY ADVS. SRI.SIBY CHENAPPADY, SC, ETTUMANOOR MUNICIPALITY BY SRI.E.G.GORDEN, SR.GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON

21.02.2025, ALONG WITH WP(C) NO.16051/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON FRIDAY, THE 21ST DAY OF FEBRUARY 2025 / 2ND PHALGUNA, 1946 WP(C) NO.26863 OF 2019 PETITIONER: THE MANAGER, CMM, HIGHER SECONDARY SCHOOL, THALAKALATHUR, KOZHIKODE-673 317. BY ADVS. T.T.MUHAMOOD SRI.A.RENJIT SRI.V.E.ABDUL GAFOOR SRI.A.MOHAMMED SAVAD SRI.C.Y.VINOD KUMAR RESPONDENTS: 1 THE REGIONAL DEPUTY DIRECTOR OF HIGHER SECONDARY EDUCATION, KOZHIKODE-673 001.

2 THE ASSISTANT EXECUTIVE ENGINEER, LSGD SUB DIVISION, CHELANNUR BLOCK PANCHAYAT, KOZHIKKODE-673 001. 3 THE SECRETARY, THALAKALATHUR GRAMA PANCHAYAT, THALAKALATHUR, KOZHIKODE DISTRICT-673 317. BY ADVS. SRI.E.G.GORDEN, SENIOR GOVERNMENT PLEADER SRI.VINOD

SINGH CHERIYAN SRI.T.M.KHALID SMT.K.P.SUSMITHA THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21.02.2025, ALONG WITH WP(C)NO.16051/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON FRIDAY, THE 21ST DAY OF FEBRUARY 2025 / 2ND PHALGUNA, 1946 WP(C) NO.38302 OF 2017 PETITIONERS: 1 JAYAKRISHNAN. J, MANAGER, V.K.N.M.U.P. SCHOOL, KOTEKKAD, PALAKKAD. 2 P.N.MANGALAM, MANAGER, SEETHARAM U.P. SCHOOL, KUNISSERY, ALATHUR SUB DISTRICT. 3 P.SADASIVAN, MANAGER, VATTOLI LOWER PRIMARY SCHOOL, VATTOLI-673507. 4 P.SAFIYA, MANAGER, C.E.U.P. SCHOOL, PARUTHUR-679305. 5 MANAGER C.A.HIGHER SECONDARY SCHOOL, KOYALMANNAM, PALAKKAD DISTRICT. 6 MANAGER HIGHER SECONDARY SCHOOL, THIRUVALAYANNUR. 7 MANAGER, EBENEZER HIGHER SECONDARY, SCHOOL, ETTICHUVADU.P.O, RANNY. 8 P.S.SAHADEVAN, MANAGER, NATTIKA EAST U.P.SCHOOL, P.O.TALIKULAM. 9 V.VENUGOPALAN MANAGER, THEKKUMANGALAM J.B.SCHOOL, LAKKIDI. BY ADV DR.GEORGE ABRAHAM RESPONDENTS:

1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT, THIRUVANANTHAPURAM-695001. 2 THE SECRETARY LOCAL SELF-GOVERNMENT DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 3 CHIEF ENGINEER LOCAL SELF-GOVERNMENT DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001. 4 DIRECTOR OF PANCHAYATHS THIRUVANANTHAPURAM-695001. BY SRI.E.G.GORDEN, SENIOR GOVERNMENT PLEADER THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21.02.2025, ALONG WITH

WP(C)NO.16051/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

[WP(C) Nos.16051/2019, 9642/2019, 10699/2019, These writ petitions have been filed by the respective petitioners, challenging the demand of supervision charges on the basis of a circular issued by the Secretary, Local Self Government Department, Thiruvananthapuram.

2. Short facts necessary for the disposal of these writ

petitions as culled out from W.P.(C) No.10699 of 2019, are as under: The petitioners in these writ petitions are stated to be the Managers of various schools affiliated with the Central Board of Secondary Education (CBSE). They contend that they constructed the school buildings years back and after obtaining the necessary occupancy, etc., have been in occupation of the school buildings since then. The petitioners point out that, since they require renewal of the affiliation with the CBSE every year, and since the CBSE norms require them to obtain fitness certificates, they need to approach the Governmental authorities/Local Self Government Institutions (LSGIs) for getting fitness certificates. The petitioners lament that, now when they seek the fitness certificates for the purpose of renewal of the affiliation as above, the Governmental authorities/LSGIs insist on the payment of the supervision charges at 1.25% as laid down by Ext.P9 circular dated 12.09.2011, issued by the Secretary, LSGI Department. It is in such circumstances that the captioned writ petitions are filed by similarly placed schools having recognition from the CBSE seeking to challenge the demand of supervision charges.

3. I have heard Sri.T.P.M.Ibrahim Khan learned Senior

counsel, Dr.George Abraham, Sri.K.B.Gangesh, Smt.P.J.Razia Beevi, Sri.Jomy George, Sri.P.Anoop, and Sri.T.T.Muhamood, learned counsel for the petitioners as well as Sri.Rajesh S.Subrahmanian, learned Standing Counsel for the Edathala Grama Panchayat, Sri.Vinod Singh Cheriyan, learned Standing Counsel for the

Thalakkalathur Grama Panchayat and Sri.E.G.Gorden, the learned Senior Government Pleader, in these writ petitions.

4. The short issue arising for consideration in these

writ petitions is with respect to the sustainability or otherwise of the demand for supervision charges on the basis of Ext.P9 circular issued, as above. A reference to Ext.P9 circular would show that schools like petitioners are directed to pay the supervision charges at 1.25% of the estimated cost of

construction with specific reference to the Government Order

dated 11.11.1974, issued by the Government. The afore Government Order has been produced as Ext.P8. The Government Order at Ext.P8 is one issued seeking to levy fees/other departmental charges for the services rendered by the Public Works Department (PWD). Among other things, the afore Government Order speaks about the issuance of fitness certificate after supervision and test check for construction undertaken by private parties, for which the fee of 1.25% of the estimated cost can be demanded.

5. With respect to Ext.P8 Government Order, I notice

two aspects. Firstly, the said Government Order visualizes the issuance of the fitness certificate in a situation where the authorities of the PWD supervises and test check a particular construction. In these writ petitions, the petitioners have specifically averred that the constructions have already been completed, and they are in occupation of the buildings, and no supervision or test check has been sought to be conducted by the officials of the PWD and that they have not carried out any such activity. Secondly, I also notice that the Government Order visualizes such fitness certificates to be issued after supervision or test check in a situation where the construction is carried out by private parties. This can only mean that it is only when a private party carries out a construction and desires to obtain the supervision and test check by the officials of the PWD that the question of demand of 1.25% towards supervision charges arises. I am of the opinion that, since the petitioners herein have not sought for any supervision/test check during the time of

construction or just after the completion of construction, there cannot be any demand of 1.25% towards supervision charges.

6. Apart from all that, the fallacy in Ext.P8 is writ large

since the demand of 1.25% towards supervision charges is on estimated cost. For instance, if a particular building of a school is constructed in 1970, the estimated cost of construction during 1970 may be a particular amount. However, if the school requires a fitness certificate, to be issued in 2025, the estimated cost can be only the estimated cost during 2025. In such circumstances, if literal interpretation is being extended, to demand supervision charges, as is sought to be done by Ext.P9 circular, that will lead to absurd situations.

7. Furthermore, Ext.P8 is in two parts. The first part

is with reference to the demand for fees and other departmental charges, as already noticed. The second part is with reference to the issuance of fitness certificates for schools. In other words, Ext.P8 Government Order contains a specific portion covering the issuance of fitness certificates for schools, added by G.O.(P) No.84/97/PW&T [sic] dated 19.08.1997, which reads as under: 3. FEE FOR FITNESS CERTIFICATE FOR SCHOOLS (G.O.(P)No.84/97/PW&T [sic] dated 19-08-1997)

Types of Aided	Unaided	School	High Schools	Rs.500.00	Rs.1,000.00	Upper
Primary	Schools	Rs.150.00	Rs.300.00	Lower	Primary	Schools
Rs.100.00	Rs.200.00					

Thus, the notification issued in 1997, by which a separate treatment is visualised with reference to the issuance of fitness certificates to schools speaks about a lump-sum payment to be effected when fitness certificates are sought for by the institutions like the petitioners herein. It is settled principle that when a Statute/delegated legislation provides for specific as well as general clauses, the specific provision would override the general provision. In view of that principle also, insofar as the fitness certificates are being sought for by schools, I am of the opinion that reference can only be made to the Government Order dated

19.08.1997, referred to above.

8. Furthermore, I notice that Ext.P9 is only a

circular. The supervision charges, if at all payable, are being fixed by the notifications of 1974/1997. There cannot be a demand for supervision charge, through a circular issued by an officer of the Government. It can only be made by virtue of the Statutory provisions or by exercising the power of the Government through the issuance of separate Government Orders, as has been the case with the notifications of 1974 and 1997.

9. In such circumstances, the demand for supervision charges on the basis of the circular issued at Ext.P9 cannot be sustained.

10. However, I take note of the submissions made by

Sri.E.G.Gorden, the learned Senior Government Pleader, with reference to the counter affidavit filed in W.P.(C) No.38302 of 2017, that the officers of the Government Departments are required to ensure stability and safety and it is for that reason that the supervision charges are being demanded for carrying out inspection of the buildings in question. But the fact remains that the buildings, as stated earlier, have been constructed years back and there is no question of carrying out supervision of the construction activity after the same is already carried out.

11. At worst, what can be visualised is only an increase

in the rates fixed as per the notification issued on 19.08.1997, that too, after taking into consideration the relevant facts and after having a consultation with the various stakeholders in this matter. In the result, these writ petitions would stand allowed as under:-

(i) The circular dated 12.09.2011, produced as Ext.P9 in W.P.(C) No.10699 of 2019 is set aside.

(ii) It is declared that the schools, like the petitioners herein, would be liable to satisfy the charges for obtaining fitness certificates only as per G.O.(P)

No.84/97/PW&T [sic] dated 19.08.1997.

(iii) It will be open for the Government to move for

increasing the charges for the issuance of fitness certificates as per the Government Order dated 19.08.1997, after a proper deliberation with the stakeholders.

Sd/- HARISANKAR V. MENON, JUDGE Skk//27.02.2025 APPENDIX OF WP(C) NO.9642 OF 2019 PETITIONERS EXHIBITS: EXHIBIT P1 TRUE COPY OF APPLICATION FOR FITNESS CERTIFICATE DATED 11.03.2019 SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT EXHIBIT P2 A TRUE COPY OF THE RULES FOR LEVY OF FEES AND OTHER DEPARTMENTAL CHARGES FOR SERVICES RENDERED BY PUBLIC WORKS DEPARTMENT EXHIBIT P3 A TRUE COPY OF THE CIRCULAR DATED 12.09.2011 EXHIBIT P4 A TRUE COPY OF THE JUDGMENT IN WP(C) NO.15235/2013 DATED 05.10.2013 EXHIBIT P5 A TRUE COPY OF THE INTERIM ORDER ISSUED BY THIS HON'BLE COURT IN WP(C) NO.34627/2018 DATED 25.10.2018 APPENDIX OF WP(C) NO.10699 OF 2019 PETITIONERS EXHIBITS: EXHIBIT P1 TRUE COPY OF APPLICATION FOR FITNESS CERTIFICATE DATED 07.03.2019 SUBMITTED BY THE 1ST PETITIONER EXHIBIT P2 TRUE COPY OF APPLICATION FOR FITNESS CERTIFICATE DATED 06.03.2019 SUBMITTED BY THE 2ND PETITIONER EXHIBIT P3 TRUE COPY OF THE RECEIPT FOR APPLICATION FOR FITNESS CERTIFICATE DATED 15.03.2019 ISSUED BY THE ANCHAL GRAMA PANCHAYATH TO THE 3RD PETITIONER EXHIBIT P4 TRUE COPY OF THE RECEIPT FOR APPLICATION FOR FITNESS CERTIFICATE DATED 14/03/2019 ISSUED BY THE PUNALUR MUNICIPALITY TO THE 4TH PETITIONER EXHIBIT P5 TRUE COPY OF RECEIPT OF APPLICATION FOR FITNESS CERTIFICATE ISSUED BY CHIRAKKARA GRAMA PANCHAYAT TO THE 5TH PETITIONER ON 29.09.2018 EXHIBIT P6 TRUE COPY OF APPLICATION FOR FITNESS CERTIFICATE SUBMITTED BY THE 6TH PETITIONER ON 22.03.2019 EXHIBIT P7 TRUE COPY OF APPLICATION FOR FITNESS CERTIFICATE SUBMITTED BY THE 7TH PETITIONER ON 22.03.2019 EXHIBIT P8 A TRUE COPY OF THE RULES FOR

LEVY OF FEES AND OTHER DEPARTMENTAL CHARGES FOR SERVICES RENDERED BY PUBLIC WORKS DEPARTMENT EXHIBIT P9 A TRUE COPY OF THE CIRCULAR DATED 12.09.2011 EXHIBIT P10 A TRUE COPY OF THE JUDGMENT IN WP(C)NO.15235/2013 DATED 05.10.2013 EXHIBIT P11 A TRUE COPY OF THE INTERIM ORDER ISSUED BY THIS HON'BLE COURT IN WP(C)NO.9642/2019 DATED APPENDIX OF WP(C) NO.12246 OF 2019 PETITIONERS EXHIBITS: EXHIBIT P1 A TRUE COPY OF THE EXTENSION OF AFFILIATION CERTIFICATE NO.CBSE/AFF./930257/EX-02545- IST PETITIONER SCHOOL. EXHIBIT P1-(A) A TRUE COPY OF THE EXTENSION OF AFFILIATION CERTIFICATE NO.CBSE/AFF./930475/EX-01434- SECOND PETITIONER. EXHIBIT P1-(B) A TRUE COPY OF THE EXTENSION OF AFFILIATION CERTIFICATE NO.CBSE/AFF.930309 EX-02470- PETITIONER SCHOOL. EXHIBIT P2 A TRUE COPY OF THE APPLICATION FOR FITNESS CERTIFICATE DATED 6.3.2019 SUBMITTED BY THE IST PETITIONER. EXHIBIT P3 A TRUE COPY OF THE APPLICATION FOR FITNESS CERTIFICATE DATED 4.1.2019 SUBMITTED BY THE 2ND PETITIONER SCHOOL. EXHIBIT P3-(A) A TRUE COPY OF THE LETTER NO.E- THE 3RD RESPONDENT TO THE 2ND PETITIONER SCHOOL. EXHIBIT P4 A TRUE COPY OF THE APPLICATION FOR FITNESS CERTIFICATE DATED 10.4.2019 SUBMITTED BY THE 3RD PETITIONER SCHOOL. EXHIBIT P5 A TRUE COPY OF THE RECEIPT INWARD NO.1479

(NO.4375015) DATED 6.3.2019 SHOWING THE RECEIPT OF APPLICATION FOR FITNESS CERTIFICATE SUBMITTED BY THE IST PETITIONER SCHOOL.

EXHIBIT P5(A) A TRUE COPY OF THE RECEIPT NO.A-9364650 DATED 1.3.2019 FOR THE PAYMENT OF PROPERTY TAX FROM THE FIRST PETITIONER SCHOOL. EXHIBIT P6 A TRUE COPY OF THE LETTER DATED 4.4.2019 SUBMITTED BY THE FIRST PETITIONER BEFORE THE 2ND RESPONDENT. EXHIBIT P6-(A) A TRUE COPY OF THE LETTER DATED 2.2.2019 SUBMITTED BY THE SECOND PETITIONER BEFORE THE 3RD RESPONDENT. EXHIBIT P6-(B) A TRUE COPY OF THE LETTER DATED 10.4.2019 SUBMITTED BY THE THIRD PETITIONER BEFORE THE 4TH RESPONDENT. EXHIBIT P7 A TRUE COPY FO THE GOVERNMENT ORDER

(RT)

NO.1304/74-PWD DATED 11.11.1974 PRESCRIBING THE RULES FOR LEVY OF FEES AND OTHER DEPARTMENTAL CHARGES FOR SERVICES RENDERED BY PUBLIC WORKS DEPARTMENT.

EXHIBIT P8 A TRUE COPY OF THE CIRCULAR NO.42448/EW- RESPONDENT SECRETARY TO GOVERNMENT, LOCAL SELF GOVERNMENT DEPARTMENT. EXHIBIT P9 A TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT DATED 5.10.2013 IN WRIT PETITION (CIVIL) NO.15235 OF 2013 (D). EXHIBIT P10 A TRUE COPY OF THE INTERIM ORDER OF THIS HONOURABLE COURT DATED 2.4.2019 IN WRIT PETITION (CIVIL) NO.9642 OF 2019 (E) EXHIBIT P11 A TRUE COPY OF THE INTERIM ORDER OF THIS HONOURABLE COURT DATED 4.4.2019 IN WRIT PETITION (CIVIL) NO.106999 OF 2019 (J) APPENDIX OF WP(C) NO.12523 OF 2019 PETITIONERS EXHIBITS: EXHIBIT P1 THE TRUE COPY OF THE EXTENSION OF AFFILIATION CERTIFICATE NO. CBSE/AFF/ 930027/EX-01652- TO THE PETITIONER'S SCHOOL EXHIBIT P2 A TRUE COPY OF THE APPLICATION FOR FITNESS CERTIFICATE DATED 30-03-2019 SUBMITTED BY THE PETITIONER THROUGH THE GRAMA PANCHAYAT OFFICE. EXHIBIT P2-(A) A TRUE COPY OF THE CHALLAN RECEIPT NO.

KLO137252-402018-19 M DATED 30-03-2019 FOR THE REMITTANCE OF RS. 1,000/- TOWARDS FEE FOR SUPERVISION CHARGES. EXHIBIT P2-(B) A TRUE COPY OF THE NO OBJECTION CERTIFICATE NO.A2/713/19 DATED 12.02.2019 ISSUED BY THE SECRETARY, (IN-CHARGE) PUDUSSERY GRAMA PANCHAYAT, KANCIJIKKOD-P.O, PALAKKAD DISTRICT TO THE PETITIONER SCHOOL.

EXHIBIT P3 A TRUE COPY OF THE LETTER NO. A3-3046/2019 DATED 16-04-2019 ISSUED BY THE SECRETARY, PUDUSSERY GRAMA PANCHAYAT, KANJIKODE ADDRESSED TO THE PETITIONER SCHOOL. EXHIBIT P4 TRUE COPY OF THE GOVERNMENT ORDER (DT) NO. RULES FOR LEVY OF FEES AND OTHERS DEPARTMENTAL CHARGES FOR SERVICE RENDERED BY PUBLIC WORKS DEPARTMENT. EXHIBIT P5 A TRUE COPY OF THE

CIRCULAR NO.42448/EW- 3/LSGD DATED 12-09-2011 ISSUED BY THE FIRST RESPONDENT-SECRETARY TO GOVERNMENT, LOCAL SELF GOVERNMENT DEPARTMENT

EXHIBIT P6 A TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT DATED 05-10-2013 IN WRIT PETITION (CIVIL) NO. 15235 OF 2013(D)
EXHIBIT P7 A TRUE COPY OF THE INTERIM ORDER OF THIS HONOURABLE COURT DATED 02-04-2019 IN WRIT PETITION (CIVIL) NO.9642 OF 2019 (E)
EXHIBIT P8 A TRUE COPY OF THE INTERIM ORDER OF THIS HONOURABLE COURT DATED 04-04-2019 WRIT PETITION (CIVIL) NO. 106999 OF 2019(J)
EXHIBIT P9 A TRUE COPY OF THE INTERIM ORDER OF THIS HONOURABLE COURT DATED 12-04-2019 IN WRIT (CIVIL) NO.12246 OF 2019(E) APPENDIX OF WP(C) NO.15073 OF 2019 PETITIONERS EXHIBITS: EXHIBIT P1 TRUE COPY OF THE BUILDING PERMIT DATED 18-06-2000 ISSUED BY THE MUNICIPALITY, KOTTAYAM EXHIBIT P2 TRUE COPY OF THE BUILDING PERMIT DATED 01-01-2011 ISSUED BY THE KOTTAYAM MUNICIPALITY WITH REGARD TO THE SECOND BUILDING OF THE SCHOOL. EXHIBIT P3 TRUE COPY OF THE BUILDING PERMIT DATED

29-05-2017 ISSUED BY THE KOTTAYAM MUNICIPALITY WITH REGARD TO ADDITIONAL CONSTRUCTION OF THE BUILDING

EXHIBIT P4 TRUE COPY OF THE OCCUPANCY CERTIFICATE DATED 19- 11- 2001 ISSUED BY THE MUNICIPAL COUNCIL KOTTAYAM EXHIBIT P5 TRUE COPY OF THE OCCUPANCY CERTIFICATE DATED 06- 03-2014 ISSUED BY THE MUNICIPAL COUNCIL, KOTTAYAM EXHIBIT P6 TRUE COPY OF THE STRUCTURAL STABILITY CERTIFICATE DATED 11-01-2017 ISSUED BY THE CHARTERED ENGINEER EXHIBIT P7 TRUE COPY OF THE APPLICATION DATED 02-03-2017 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT EXHIBIT P8 TRUE COPY OF THE CIRCULAR DATED 12-09- 2011 ISSUED BY THE 1ST RESPONDENT EXHIBIT P9 TRUE COPY OF THE JUDGMENT IN W.P(C) NO.15235/2013 DATED 05-10-2013 OF THIS HON'BLE COURT EXHIBIT P10 TRUE COPY OF THE RULES FOR LEVY OF FEES AND OTHER DEPARTMENTAL CHARGES FOR SERVICES RENDERED BY PUBLIC

WORKS DEPARTMENT EXHIBIT P11 THE PHOTOGRAPHS OF THE COMPLETED CONSTRUCTION OF THE BUILDING. EXHIBIT P12 TRUE COPY OF THE INTERIM ORDER ISSUED BY THIS HON'BLE COURT IN W.P(C) NO.13236/2019 DATED 07- 05-2019 APPENDIX OF WP(C) NO.15909 OF 2019 PETITIONERS EXHIBITS: EXHIBIT P1 TRUE COPY OF THE BUILDING PERMIT DATED 09.02.2001 ISSUED BY THE VIJAYAPURAM GRAMA PANCHAYAT, KOTTAYAM. EXHIBIT P2 TRUE COPY OF THE OWNERSHIP CERTIFICATE DATED 15.05.2019 ISSUED BY THE VIJAYAPURAM GRAMA PANCHAYAT, KOTTAYAM. EXHIBIT P3 TRUE COPY OF THE STRUCTURAL STABILITY CERTIFICATE DATED 15.07.2009 ISSUED FROM A REGISTERED ARCHITECT. EXHIBIT P4 TRUE COPY OF THE APPLICATION DATED 13.05.2019 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT. EXHIBIT P5 TRUE COPY OF THE CIRCULAR DATED 12.09.2011 ISSUED BY THE 1ST RESPONDENT. EXHIBIT P6 TRUE COPY OF THE JUDGMENT IN W.P.(C) NO. COURT. EXHIBIT P7 TRUE COPY OF THE RULES FOR LEVY OF FEES AND OTHER DEPARTMENTAL CHARGES FOR SERVICES RENDERED BY PUBLIC WORKS DEPARTMENT. EXHIBIT P8 THE PHOTOGRAPHS OF THE COMPLETED CONSTRUCTION OF THE BUILDING. EXHIBIT P9 A TRUE COPY OF THE INTERIM ORDER ISSUED BY THIS HON'BLE COURT IN W.P.(C) NO. 15073/2019 DATED 31.05.2019. APPENDIX OF WP(C)NO.15912 OF 2019 PETITIONERS EXHIBITS: EXHIBIT P1 TRUE COPY OF THE BUILDING PERMIT DATED 13.08.2002 ISSUED BY THE MUNICIPAL COUNCIL, KOTTAYAM. EXHIBIT P2 TRUE COPY OF THE OCCUPANCY CERTIFICATE DATED 24.05.2001 ISSUED BY THE MUNICIPAL COUNCIL, KOTTAYAM. EXHIBIT P3 TRUE COPY OF THE OCCUPANCY CERTIFICATE DATED 14.07.2004 ISSUED BY THE MUNICIPAL COUNCIL, KOTTAYAM. EXHIBIT P4 TRUE COPY OF THE STRUCTURAL STABILITY CERTIFICATE DATED 12.11.2003 ISSUED BY THE MUNICIPAL ENGINEER, KOTTAYAM. EXHIBIT P5 TRUE COPY OF THE APPLICATION DATED 13.03.2019 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT. EXHIBIT P6 TRUE COPY OF THE CIRCULAR DATED 12.09.2011 ISSUED BY THE 1ST RESPONDENT. EXHIBIT P7 TRUE COPY OF THE JUDGMENT IN W.P.(C) NO.15235/2013 DATED 05.10.2013 OF THIS

HON'BLE COURT. EXHIBIT P8 TRUE COPY OF THE RULES FOR LEVY OF FEES AND OTHER DEPARTMENTAL CHARGES FOR SERVICES RENDERED BY PUBLIC WORKS DEPARTMENT. EXHIBIT P9 TRUE COPY OF THE INTERIM ORDER ISSUED BY THIS HON'BLE COURT IN W.P.(C)NO.15073/2019 DATED 31.05.2019. APPENDIX OF WP(C) NO.16818 OF 2019 PETITIONERS EXHIBITS: EXHIBIT P1 TRUE COPY OF THE APPLICATION FOR FITNESS CERTIFICATE DATED 27.5.2019 SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT EXHIBIT P2 TRUE COPY OF THE RULES OF LEVY OF FEES AND OTHER DEPARTMENTAL CHARGES FOR SERVICES RENDERED BY THE PUBLIC WORKS DEPARTMENT EXHIBIT P3 TRUE COPY OF THE CIRCULAR DATED 12.9.2011 ISSUED BY THE SECRETARY OF THE LOCAL SELF GOVERNMENT DEPARTMENT EXHIBIT P4 TRUE COPY OF THE JUDGMENT IN WPC NO.15235/2013 DATED 5.10.2013 OF THIS HON'BLE COURT EXHIBIT P5 TRUE COPY OF THE INTERIM ORDER IN WPC NO.10699/2019 DATED 4.4.2019 ISSUED BY THIS HON'BLE COURT APPENDIX OF WP(C) NO.21619 OF 2019 PETITIONERS EXHIBITS: EXHIBIT P1 TRUE COPY OF EMAIL COMMUNICATION DATED 02.05.2019 ISSUED BY CBSE. EXHIBIT P2 TRUE COPY OF APPLICATION FOR FITNESS CERTIFICATE DATED 25.7.2019 SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT EXHIBIT P3 A TRUE COPY OF THE RULES FOR LEVY OF FEES AND OTHER DEPARTMENTAL CHARGES FOR SERVICES RENDERED BY PUBLIC WORKS DEPARTMENT. EXHIBIT P4 A TRUE COPY OF THE CIRCULAR DATED 12.09.2011. EXHIBIT P5 A TRUE COPY OF THE JUDGMENT IN WP(C)NO.15235/2013 DATED 05.10.2013. EXHIBIT P6 A TRUE COPY OF THE INTERIM ORDER ISSUED BY THIS HON'BLE COURT IN WP(C)NO.9642/2019 DATED 02.04.2019. APPENDIX OF WP(C) NO.21745 OF 2019 PETITIONERS EXHIBITS: EXHIBIT P1 TRUE COPY OF THE BUILDING PERMIT DATED PANCHAYAT. EXHIBIT P2 TRUE COPY OF THE OCCUPANCY CERTIFICATE DATED MUNICIPALITY. EXHIBIT P3 TRUE COPY OF THE FITNESS CERTIFICATE DATED ENGINEER. EXHIBIT P4 TRUE COPY OF THE APPLICATION DATED 25/06/2019 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT. EXHIBIT P5 TRUE COPY OF THE CIRCULAR DATED 12/09/2011 ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P6 TRUE COPY OF THE JUDGMENT IN W.P.(C) NO.15235/2013 DATED 05/10/2013 OF THIS HON'BLE COURT. EXHIBIT P7 TRUE COPY OF THE RULES FOR LEVY OF FEES AND OTHER DEPARTMENTAL CHARGES FOR SERVICES RENDERED BY PUBLIC WORKS DEPARTMENT. EXHIBIT P8 THE PHOTOGRAPHS OF THE COMPLETED CONSTRUCTION OF THE BUILDING. EXHIBIT P9 TRUE COPY OF THE INTERIM ORDER DATED THIS HON'BLE COURT. APPENDIX OF WP(C) NO.26863 OF 2019 PETITIONERS EXHIBITS: EXHIBIT P1 TRUE COPY OF PUBLIC NOTICE SHOWING THE INAUGURATION OF THE BUILDING ON 18.05.2012 EXHIBIT P2 TRUE COPY OF ORDER NO. A1/7137/2014 DATED 15.01.2014. EXHIBIT P3 TRUE COPY OF DETAILED ESTIMATE PREPARED BY

THE REGISTERED ENGINEER FOR THE CONSTRUCTION OF BUILDING FOR CMM HIGHER SECONDARY SCHOOL IN THALAKALATHUR GRAMA PANCHAYAT.

EXHIBIT P4 TRUE COPY OF REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT ON 21.03.2018. RESPONDENTS EXHIBITS: EXHIBIT R2(a) TRUE COPY OF THE G.O(p) NO.84/97 PW AND T DATED 19/8/1997 EXHIBIT R2(b) TRUE COPY OF THE JUDGMENT DATED 28/6/16 IN WPC 7257/2012 APPENDIX OF WP(C) NO.38302 OF 2017 PETITIONERS EXHIBITS: EXHIBIT P1 TRUE COPY OF THE CIRCULAR DATED 12.9.2011,ISSUED BY THE LOCAL SELF GOVT.DEPT. EXHIBIT P2 TRUE COPY OF THE CIRCULAR,ISSUED BY THE GENERAL EDUCATION DEPARTMENT ON 10-3-2006

EXHIBIT P3 TRUE COPY OF THE GOVERNMENT ORDER

G.O.(RT)NO.2427/2017 DATED 1-6-2017. EXHIBIT P4 TRUE COPY G.O.(RT)NO.1304/74/PWD DATED 11-11- 1974 ISSUED BY THE GOVT. EXHIBIT P5 TRUE COPY OF COPY OF THE JUDGMENT IN WRIT PETITION(C)NO.15235/2013 DATED 5-10-2013. APPENDIX OF WP(C) NO.16051 OF 2019 PETITIONERS EXHIBITS: EXHIBIT P1 THE TRUE COPY OF THE NO OBJECTION CERTIFICATE

NO.54034/N3/2002/G.EDN DATED 14.11.2002 ISSUED BY THE SECRETARY TO GOVERNMENT, GENERAL EDUCATION (N) DEPARTMENT, THIRUVANANTHAPURAM EXHIBIT P2 THE TRUE COPY OF THE EXTENSION OF AFFILIATION CERTIFICATE NO.CBSE/AFF/ 930498/EX-00524- THE ASSISTANT SECRETARY(AFFLN.) CBSE TO THE PETITIONERS SCHOOL EXHIBIT P3 A TRUE COPY OF THE COVERING LETTER OF THE FITNESS CERTIFICATE DATED 28.11.2018 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT EXHIBIT P3(A) A TRUE COPY OF THE APPLICATION FOR FITNESS CERTIFICATE SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT EXHIBIT P3(B) A TRUE COPY OF THE CHALLAN RECEIPT NO.KL008957604201819M DATED 04.12.2018 FOR THE REMITTANCE OF RS.2,000/- TOWARDS FEE FOR SUPERVISION CHARGES EXHIBIT P3(C) A TRUE COPY OF THE CERTIFICATE NO.B5/3279 DATED 26.03.2019 ISSUED BY THE SECRETARY, EDATHALA GRAMA PANCHAYAT ISSUED IN FAVOUR OF THE PETITIONER SCHOOL EXHIBIT P3(D) A TRUE COPY OF THE CERTIFICATE DATED 27.11.2018 ISSUED BY THE CHARTED ENGINEER IN FAVOUR OF THE PETITIONER SCHOOL EXHIBIT P4 A TRUE COPY OF THE LETTER NO.01/AE/LSGD/ EDTLA DATED 24.12.2018 ISSUED BY THE 2ND RESPONDENT TO THE 3RD RESPONDENT EXHIBIT P5 A TRUE COPY OF THE GOVERNMENT ORDER (RT) NO.1304/74-PWD DATED 11.11.1974 PRESCRIBING THE RULES FOR LEVY OF FEES AND OTHER DEPARTMENT CHARGES FOR SERVICES RENDERED BY PUBLIC WORKS DEPARTMENT

EXHIBIT P6 A TRUE COPY OF THE CIRCULAR NO42448/EW- FIRST RESPONDENT-SECRETARY TO GOVERNMENT, LOCAL GOVERNMENT DEPARTMENT EXHIBIT P7 A TRUE COPY OF THE JUDGMENT OF THIS HONOURBLE3 COURT DATED 05.10/2013 IN WRIT PETITION (CIVIL) NO.15235 OF 2013 (D) EXHIBIT P8 A TRUE COPY OF THE INTERIM ORDER OF THIS HONOURABLE COURT DATED 02.04.2019 IN WRIT PETITION (CIVIL) NO.9642 OF 2019(E) EXHIBIT P9 A TRUE COPY OF THE INTERIM ORDER OF THIS HONOURABLE COURT DATED 04.04.2019 IN WRIT PETITION (CIVIL) NO.106999 OF 2019(J) EXHIBIT P10 A TRUE COPY OF THE INTERIM ORDER OF THIS HONOURABLE COURT DATED 12.04.2019 IN WRIT PETITION (CIVIL) NO.12246 OF 2019(E) EXHIBIT P11 TRUE COPY OF INTERIM ORDER

PASSED BY THIS HON'BLE COURT IN W.P.(C) NO. 16051 OF 2019 DATED 12.6.2019 EXHIBIT P12 TRUE COPY OF FITNESS CERTIFICATE DATED 24.6.2019 EXHIBIT P13 TRUE COPY OF REPLY LETTER DATED 17.10.2022 EXHIBIT P13(A) TRUE COPY OF REPLY LETTER DATED 9.12.2022 EXHIBIT P14 TRUE COPY OF THE DETAILED REPLY GIVEN BY THE PETITIONER SCHOOL DATED 14.12.2022 EXHIBIT P15 TRUE COPY OF THE INTERIM ORDER DATED 4.4.2023 IN W.P.(C) NO. 16051/2019 OF THIS HON'BLE COURT EXHIBIT P16 TRUE COPY OF THE FITNESS CERTIFICATE FOR SCHOOL BUILDING FOR THE PERIOD 2023-24 EXHIBIT P17 TRUE COPY OF REPLY LETTER DATED 5.4.2024 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER ALONG WITH ITS ENGLISH TRANSLATION

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