

The Manager, Aided Junior Basic School, vs the State of Kerala,

The Manager, Aided Junior Basic School, vs the State of Kerala,

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Court : Kerala

Decided On : Oct-31-2023

Judge : Honourable Mr. Justice T.R.Ravi

Appeal No. : WP(C)/27824/2020

Appellant : The Manager, Aided Junior Basic School,

Respondent : The State of Kerala,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE T.R.RAVI TUESDAY, THE 31ST DAY OF OCTOBER 2023 / 9TH KARTHIKA, 1945 WP(C) NO. 27824 OF 2020 PETITIONER: 1 THE MANAGER, AIDED JUNIOR BASIC SCHOOL, NAGARIPURAM, PARLI, PALAKKAD DISTRICT. BY ADV R.K.MURALEEDHARAN RESPONDENTS: 1 THE STATE OF KERALA, REPRESENTED BY SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT, THIRUVANANTHAPURAM - 695 001. 2 THE DIRECTOR OF GENERAL EDUCATION OFFICE OF THE DIRECTORATE, JAGATHI, THIRUVANANTHAPURAM - 695 014. 3 THE DEPUTY DIRECTOR OF EDUCATION PALAKKAD, PALAKKAD DISTRICT - 678 001. 4 THE ASSISTANT EDUCATION OFFICER

PARLI, P.O.EDATHARA, PALAKKAD DISTRICT - 678 611. THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.10.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

T. R. RAVI, J.

W.P.(C.) No.27824 of 2020 Dated this the 31st day of October, 2023

JUDGMENT

The prayer in the writ petition is for a direction to the respondents 3 and 4 not to initiate any attempt to conduct classes in the Aided Junior Basic School, Nagaripuram, Palakkad, since the petitioner has issued Ext.P4 notice to close down the School from 01.06.2022. There is also a prayer for directing the respondents 3 and 4 to take necessary steps to issue transfer certificates to existing students of the School so as to admit them to nearby Schools.

2. Government Pleader on instructions

submitted that the request made by the petitioner is under process. There appears to be no serious objections to the closing down of the School. In the above circumstances, the writ petition is disposed of directing the respondents 3 and 4 to facilitate closure of the School and take steps for issuance of transfer certificates to the existing students at the earliest, at any rate, within six weeks from the date of receipt of a copy of this judgment. Sd/- T. R. RAVI JUDGE SKP/31-10 APPENDIX OF WP(C) 27824/2020 PETITIONERS EXHIBITS: EXHIBIT P1 A TRUE COPIES OF THE PHOTOGRAPHS OF THE SCHOOL BUILDING. EXHIBIT P2 A TRUE COPY OF THE INTIMATION SUBMITTED BEFORE THE 2ND RESPONDENT THROUGH THE 4TH RESPONDENT DATED 01/06/2019. EXHIBIT P3 A TRUE COPY OF THE LETTER DATED 12/07/2019 RECEIVED FROM THE 4TH RESPONDENT. EXHIBIT P4 A TRUE COPY OF THE INTIMATION SUBMITTED BY THE PETITIONER DATED 22/10/2020. EXHIBIT P5 A TRUE COPY OF THE POSTAL ACKNOWLEDGMENT. EXHIBIT P6 A TRUE COPY OF THE NOTICE DATED 10/08/2020 ISSUED BY THE 3RD

RESPONDENT. RESPONDENTS' EXHIBITS:NIL TRUE COPY P.A. TO JUDGE

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