

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

FRIDAY, THE 30TH DAY OF DECEMBER 2022 / 9TH POUSHA, 1944

WP(C) NO. 42401 OF 2022

PETITIONER/S:

APARNA M (MINOR), AGED 17 YEARS
AJI BHAVANAM, D/O. AJIKUMAR S, SOORANAD, NADUVILA MURI,
ANAYADI (P.O), KOLLAM DISTRICT- 690 561, REPRESENTED BY
HER FATHER, AJIKUMAR S, AGED 43 YEARS, S/O. SREEDHARAN
NAIR, SOORANAD, NADUVILA MURI, ANAYADI (P.O), KOLLAM
DISTRICT, 690 561.
BY ADV K.S.PRAVEEN

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY THE SECRETARY TO
GOVERNMENT, DEPARTMENT OF EDUCATION, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM, PIN 695 001.
- 2 GENERAL CONVENER,
KOLLAM DISTRICT SCHOOL KALOLSAVAM -2022-23, REPRESENTED
BY THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM, PIN 695 001.
- 3 CHAIRMAN,
APPEAL COMMITTEE, KOLLAM DISTRICT SCHOOL KALOLSAVAM-
2022-23, REPRESENTED BY THE DEPUTY DIRECTOR OF
EDUCATION, KOLLAM, PIN 691 001.

BY SMT.ANIMA, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30.12.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated the 30th day of December 2022

The petitioner participated in 'Bharathanatyam (for girls) (H.S.S category)' in the District School Kalolsavam of Kollam Revenue District. The petitioner could not get first prize. The petitioner was ranked as No.2.

2. The petitioner states that the carpet on the stage was not properly laid on the stage which has adversely affected the performance of the petitioner. The appeal committee has not properly adverted to the grounds urged by the petitioner in the appeal petition.

3. I have heard the learned counsel for the petitioner and the learned Government Pleader.

4. This Court in the judgment in W.P.(C)No.40794 of 2022 and connected cases, has held that this Court cannot in exercise of the powers under Article 226 of the Constitution of India,

interfere with the decision of the authorities, on the ground that the stage was not properly maintained or that the carpets were not properly laid. These are questions of fact which cannot be gone into in exercise of the powers under Article 226 of the Constitution of India.

5. As regards Ext.P3 decision of the appellate committee, it is evident that the appeal committee has perused the score sheet and tabulation sheet and has also watched the video recording of the performance. After watching the video of the performance, the appeal committee found that the allegation raised by the petitioner is without any merit. I do not find anything wrong in Ext.P3 decision of the appellate committee.

The writ petition fails and accordingly it is dismissed.

Sd/-

N . NAGARESH

JUDGE

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30.12.2022

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APPENDIX OF WP(C) 42401/2022

PETITIONER EXHIBITS

Exhibit P1	TRUE COPY OF THE LIST OF WINNERS IN 'BHARATHANATYAM' (FOR GIRLS IN H.S.S. CATEGORY).
Exhibit P2	TRUE COPY OF THE APPEAL DATED 30.1.2022.
Exhibit P3	TRUE COPY OF THE ORDER DATED 08.12.2022 PASSED BY THE 3RD RESPONDENT.