



2024:KER:98141

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.M.MANOJ

TUESDAY, THE 31ST DAY OF DECEMBER 2024 / 10TH POUSHA, 1946

WP(C) NO. 45311 OF 2024

PETITIONER:

DEVAYUKTHA (MINOR)
AGED 16 YEARS
REPRESENTED BY HER MOTHER, NEXT FRIEND & GUARDIAN:
SHEENA.K, W/O SAJEEVAN .C, AGED 49 YEARS, PAZHAYA
MANDAPAMULLATHIL, CHERUVANCHERI P.O,
CHITTARIPARAMABA (VIA) KOOOTHUPARAMBA,
KANNUR DISTRICT-, PIN - 670650

BY ADVS.
V.T.MADHAVANUNNI
V.A.SATHEESH

RESPONDENTS:

- 1 GENERAL CONVENOR
KANNUR REVENUE DISTRICT KERALA SCHOOL KALOLSAVAM-
24 OFFICE OF DEPUTY DIRECTOR OF EDUCATION KANNUR,
PIN - 670002
- 2 APPEAL COMMITTEE CHAIRMAN
JOINT DIRECTOR (ACADEMIC) DIRECTORATE OF GENERAL
EDUCATION JAGATHI, THIRUVANATHAPURAM -, PIN -
695014
- 3 DIRECTOR OF GENERAL EDUCATION
OFFICE OF DIRECTORATE OF GENERAL EDUCATION,
JAGATHI, THIRUVANATHAPURAM, PIN - 695014



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- 4 **GENERAL CONVENOR
KERALA STATE SCHOOL KALOLSAVAM 2025,
DIRECTORATE OF GENERAL EDUCATION JAGATHI,
THIRUVANATHAPURAM, PIN - 695014**
- 5 **PRINCIPAL
AKGS GOVERNMENT HIGHER SECONDARY SCHOOL,
PERALASSERY, KANNUR DISTRICT, PIN - 670622**
- 6 **STATE OF KERALA
REPRESENTED BY THE SECRETARY,
DEPARTMENT AND GENERAL EDUCATION
THIRUVANANTHAPURAM-, PIN - 695001**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 31.12.2024, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**



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JUDGMENT

The petitioner participated in "Kavyakeli" in the Kannur Revenue District, Kerala School Kalolsavam-2024 held at Payyannur from 20.11.2024. The petitioner was secured A grade.

2. The grievance of the petitioner's team is that the petitioner had performed excellently in the competition better than all other participants. The petitioner secured "A" Grade in the competition. But the petitioner was not ranked First in the competition. The petitioner was given to 264 marks. Where as the 1st ranked student was given to 270 marks. There was error in assessment. The mike and sound system was also at fault. Even though this allegation was raised in the appeal, that was not adverted to.

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

4. A perusal of Ext.P7 shows that the appeal committee had verified the appeal in detail with the report of the Stage Manager and found against the petitioner. This Court relies on the judgment of a reported decision in **Devna Sumesh v. State of**



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Kerala [2022 KHC 8081], wherein it is held that this Court cannot sit in appeal over award of marks by panel of judges in a proceedings under Article 226 and the decision of appeal committees shall be accepted as conclusive and final.

If appeals are allowed indiscriminately, schedule and conduct of the State Level competitions will be completely disrupted. Therefore, no interference is warranted under Article 226 of the Constitution of India. Accordingly, the writ petition is dismissed.

**Sd/-
P.M.MANOJ
JUDGE**

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APPENDIX OF WP(C) 45311/2024

PETITIONER'S EXHIBITS

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|-------------------|---|
| EXHIBIT P1 | A TRUE COPY OF THE CERTIFICATE ISSUED TO THE PETITIONER DATED 5.01.2023 BY THE DIRECTOR OF GENERAL EDUCATION SHOWING 'A' GRADE IN STATE LEVEL COMPETITION 2022-23 IN ' PADYAM CHOLLAL- KANNADA ' |
| EXHIBIT P2 | A TRUE COPY OF THE CERTIFICATE ISSUED TO THE PETITIONER DATED 7.01.2024 BY THE DIRECTOR OF GENERAL EDUCATION SHOWING 'A' GRADE IN STATE LEVEL COMPETITION 2023-24 IN' KAVITHARACHANA- HINDI' |
| EXHIBIT P3 | A TRUE COPY OF THE CERTIFICATE ISSUED BY GENERAL CONVENER OF THE DISTRICT SCHOOL KALOISAVAM -2024 TO THE PETITIONER SHOWING 'A' GRADE IN 'KAVYAKELI |
| EXHIBIT P4 | A TRUE COPY OF THE CERTIFICATE ISSUED BY GENERAL CONVENER OF THE DISTRICT SCHOOL KALOISAVAM -2024 TO THE PETITIONER SHOWING 'A' GRADE IN 'KAVITHA RACHANA- HINDI' |
| EXHIBIT P5 | A TRUE COPY OF THE CERTIFICATE ISSUED BY GENERAL CONVENER OF THE DISTRICT SCHOOL KALOISAVAM -2024 TO THE PETITIONER SHOWING 'A' GRADE IN 'UPANYASAAM- HINDI' |
| EXHIBIT P6 | A TRUE COPY OF THE APPEAL FEE PAYING RECEIPT DATED 20.11.2024 |
| EXHIBIT P7 | A TRUE COPY OF THE ORDER IN APPEAL DATED 5.12.2024 ISSUED BY RESPONDENT NO.2 |