



2024:KER:98101

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.M.MANOJ

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

WP(C) NO. 46349 OF 2024

**PETITIONER:**

FATHIMA BATHOOL FIDA C.K.  
AGED 17 YEARS,  
DAUGHTER OF AMINA M., ASHRAF MANZIL,  
KOMBANADUKKAM, CHEMNAD P.O., KASARGOD,  
KERALA, PIN - 671317  
REPRESENTED BY MOTHER AND NATURAL GUARDIAN  
AMINA M., AGED 48 YEARS, ASHRAF MANZIL,  
KOMBANADUKKAM, CHEMNAD P.O., KASARGOD,  
KERALA, PIN - 671317

BY ADVS.  
REJI MATHEW.M  
SABU K. VARGHESE  
JOEL REJI MATHEW

**RESPONDENTS:**

- 1 STATE OF KERALA  
REPRESENTED BY ITS PRINCIPAL SECRETARY  
TO THE GENERAL EDUCATION DEPARTMENT,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,  
KERALA, PIN - 695001
- 2 DIRECTOR OF GENERAL EDUCATION,  
OFFICE OF THE DIRECTOR OF GENERAL EDUCATION,



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SANTHI-NAGAR, JAGATHI,  
THIRUVANANTHAPURAM, 695001

3 THE CHAIRMAN APPEAL COMMITTEE,  
DISTRICT SCHOOL KALOISAVAM 2024-2025,  
OFFICE OF THE DEPUTY DIRECTOR OF EDUCATION,  
KASARAGODE DISTRICT, KERALA, PIN - 671121

BY ADV.  
SRI. DHEERAJ A. S. - GOVERNMENT PLEADER

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

**JUDGMENT**

The petitioner and her team members participated in 'Oppana' (H.S.S. category) in the Kasargod Revenue District School Kalolsavam 2024-2025 held at G.H.S.S., Udinoor. They were awarded third 'A' grade in the competition.

2. The grievance of the petitioner is that her team was unjustly awarded third place in the competition. Further, the teams that secured first and second places deviated from the fundamental components. The video evidence confirms that the winning teams not only omitted crucial segments but also sang the songs incorrectly. It is alleged that there were technical defects also on part of the respondents. Even though the 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.P2 shows that the appeal committee had verified the appeal in detail with the video and



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score sheet and found against the petitioner. This Court relies on the judgment of a reported decision in **Devna Sumesh v. State of 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**

BR



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**APPENDIX OF WP(C) 46349/2024**

**PETITIONER'S EXHIBITS**

- |                      |                                                                                                                                                              |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Exhibit P1(a)</b> | <b>A TRUE COPY OF THE APPEAL DATED<br/>01-12-2024 FILED BY THE PETITIONER'S<br/>TEAM BEFORE THE APPEAL COMMITTEE.</b>                                        |
| <b>Exhibit P1(b)</b> | <b>A TRUE COPY OF THE REPRESENTATION<br/>SUBMITTED BY THE PETITIONER TO THE<br/>GENERAL CONVENER, KASARGOD REVENUE<br/>DISTRICT KALOLSAVAM-24 DATED NIL.</b> |
| <b>Exhibit P2</b>    | <b>A TRUE COPY OF THE ORDER NO.DDE K.G.D<br/>2707/2024/C3(76) DATED 06-12-2024.</b>                                                                          |

**RESPONDENTS' EXHIBITS: NIL**