

(2025) 01 KL CK 1697

In the High Court Of Kerala

Case No : Writ Petition (C) No. 46481 Of 2024

Anjali V. Krishna

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 03-01-2025

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2025) 01 KL CK 1697

Hon'ble Judges : C. Jayachandran, J

Bench : Single Bench

Advocate : Sunil Kumar A.G, George Mathew, Bijily Joseph, Mathew K.T., George K.V., Surya Binoy

Final Decision : Dismissed

Judgement

C. Jayachandran, J

1. The petitioners had participated in the event 'Margam Kali' in Thiruvananthapuram Revenue District School Kalolsavam-2024. Though the petitioners performed well, they could secure only the second position, with 'A Grade'. The specific grievance espoused is that there was no expert in the judges panel. Yet another grievance espoused is that the carpet on the stage was slippery. Learned counsel would point out that an Order in the Appeal has to be passed within five days, but Ext.P2 Order has been passed within 20 days. Yet another grievance espoused is that, the video of the event was not seen by the Appellate Committee in the presence of the petitioners. The petitioners were also not afforded with an opportunity of being heard, is the final contention urged.

2. These allegations were seriously refuted by the learned Government Pleader.

3. Having referred to the submissions made by the counsel for the respective parties, this Court finds little merit in the instant Writ Petition. The primary allegation that the members of the judges panel were not having expertise to adjudge the performance in 'Margam Kali' is not substantiated, even prima facie,

by any material before this Court. The second allegation is that the carpet was slippery, which is also not peculiar to the petitioner, but common to all the contestants. Therefore, the petitioner cannot espouse any peculiar grievance in respect of the same. Now, coming to the allegation that the appeal was not disposed of within the stipulated time, the petitioner could not espouse any prejudice on account of such delay, apart from a technical violation of the said provision in the Manual. The petitioners contention that the video was not examined by the Appellate Committee in the petitioners' presence is far-fetched and not recognizable. Coming to the last contention that the petitioners were not afforded with an opportunity of being heard, the Circular issued by the General Education Department would indicate that the same is not mandatory; instead, the same is necessary only in deserving cases. A perusal of Ext.P2 would indicate that the petitioners could not perform with the same standards as exhibited by the team which obtained the first prize. The Appellate Committee found that the allegation with respect to the slippery nature of the carpet is baseless.

4. This Court cannot sit in appeal over the factual findings arrived at by the Appellate Committee. Nor is this Court expected to do so, in exercise of its powers under Article 226 of the Constitution.

The Writ Petition (Civil) will stand dismissed.