

(2025) 01 KL CK 1693

In the High Court Of Kerala

Case No : Writ Petition (C) No. 46422 Of 2024

Niranjana Krishna P H (Minor)

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 03-01-2025

Acts Referred:

Citation : (2025) 01 KL CK 1693

Hon'ble Judges : C. Jayachandran, J

Bench : Single Bench

Advocate : P.Vijayakumar, C.R.Reghunathan, Surya Binoy

Final Decision : Allowed

Judgement

C. Jayachandran, J

1. The petitioner participated in the event 'Sanskrita Chamбу Prabhashanam' and could secure only second position, with A Grade. The specific allegations are with respect to the echo of the mike, space constraints of the stage, etc, which were espoused in the Ext.P4 appeal preferred by the petitioner. However, the same was dismissed vide Ext.P7, despite finding that the performance made by the petitioner was quite good. According to the counsel, there was complete non-application of mind by the Appellate Authority, inasmuch as Ext.P7 refers to the item as a team event, whereas, it was an individual event, in fact.

2. These submissions were refuted by the Learned Government Pleader.

3. Having heard the learned Counsel appearing for the respective parties, this Court finds prima facie merit in the instant Writ Petition. The specific finding in Ext.P7 is that the performance was quite good (?????? ????). That apart, the allegation made by the learned counsel as regards the reference to a team item, whereas the item in question is an individual item, would also lend some support to the petitioner's contention that the order was passed mechanically, without any application of mind. Another aspect, which could be seen from Ext.P7 order

is that the Appellate Authority has not stated the difference in the marks between the petitioner and the first prize holder. Learned Government Pleader is also not in a position to submit such difference in the marks.

4. Taking into account the overall circumstances, this Court is of the opinion that the petitioner can be permitted to contest in the State Kalolsavam. In such circumstances, this writ petition is allowed, with a direction to permit the petitioner to contest in the State Kalolsavam in the event 'Sanskrita Chamhu Prabhashanam'.

The Writ Petition is allowed as above.