
(2023) 06 KL CK 0008
In the High Court Of Kerala
Case No : Writ Petition (C) No. 18023 Of 2023

Sidharth S Kumar

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 05-06-2023

Acts Referred:

Citation : (2023) 06 KL CK 0008

Hon'ble Judges : P.V.Kunhikrishnan, J

Bench : Single Bench

Advocate : Gayathri Muraleedharan, Surya Binoy, Manu.S

Final Decision : Disposed Of

Judgement

P.V.Kunhikrishnan, J

1. This writ petition is filed with the following prayers:-

"i. Issue a writ of mandamus or any other appropriate writs, directions or orders calling for the records lead to Exhibit P6 and Exhibit P7 orders.

ii. Issue a writ of mandamus or any other appropriate writs, directions or orders commanding the 1st Respondent and the 2nd Respondent to set aside the Exhibit P6 order to the extent which it affects the NCC cadets of the state due to the insufficient grant of grace marks.

iii. Issue a writ of mandamus or any other appropriate writs, directions or orders commanding 1st Respondent and the 2nd Respondent to enhance the grace marks awarded to the NCC cadets including the Petitioner considering the working hours, contribution and other relevant factors.

iv. Issue a writ of mandamus or any other appropriate writs, directions or orders commanding the 1st Respondent and the 2nd Respondent to revise the grace marks awarded to the NCC cadets with respect to the Exhibit P7 Government Order.

v. Issue a writ of mandamus or any other appropriate writs, directions or orders directing the 1st Respondent and 3rd Respondent to consider Exhibit P9 and Exhibit P9 (a) representations and pass orders enhancing the grace marks of the NCC cadets proportionate to their work nature, efforts and working hours, also considering their ranks, qualified examinations and the camps they have participated.

vi. Petitioners also pray that this Honourable Court maybe pleased to dispense with the translation of the documents produced in the vernacular language.

vii. To pass such other reliefs that this Hon'ble Court deem fit and proper." (SIC)

2. The petitioner is an NCC Cadet holding all the requirements for the award of grace marks and eligible for the same is the submission. The case of the petitioner is that despite of the extensive efforts and long working hours, the respondent Education Department has neglected the petitioner and other NCC cadets in the enhancement of grace marks, while the grace marks awarded to other equally placed institution like Bharat Scout and Guides and NSS is revised as per Ext.P7 order. It is submitted that the NCC Cadets alone were discriminated. Hence, the petitioner submitted Ext.P9 before the 1st respondent. It is submitted that the time to upload the mark in the KEAM Candidates portal is expiring today. The submission of the petitioner is that Ext.P9 may be directed to be considered and till then, the time to upload the mark of the petitioner alone may be deferred.

Therefore, this writ petition is disposed of with the following directions:-

- i) There will be a direction to the 1st respondent to consider Ext.P9 within three days from today.
- ii) Similarly situated persons also can approach the 1st respondent with an appropriate representation.
- iii) Uploading of mark of the petitioner alone is deferred for a period of three days.
- iv) Issue a copy of this judgment today itself.