

**BEFORE THE HON'BLE HIGH COURT OF KERALA AT
ERNAKULAM**

W.P. (C) /2021

PETITIONER

Smitha Kishore
7C, Choice Paradise
S.N.Junction
Thrippunithura,
Kochi – 682 301.

RESPONDENTS

- 1 The Choice School
53, Nadama East
Thrippunithura, Kochi – 682 301.
Rep by it's founder President
2. The Principal
The Choice School
53, Nadama East
Thrippunithura, Kochi – 682 301.
3. Central Board of Secondary Education
Shiksha Kendra 2, Community centre,
Preet vihar, New delhi-110 092
represented by its Chairman
4. Regional officer
Central Board of Secondary Education
Regional office. Block- B
2nd Floor, LIC Divisional office campus
Pattom, Thiruvananthapuram- 695004
5. State of Kerala
rep by Secretary, Dept of General Education
Secretariat , Thiruvananthapuram- 695001

OF THE CONSTITUTION OF INDIA.

Notices and processes on the petitioner may be served on her counsel Sri. H.Ramanan, Advocate, Infant Jesus Building, Banerji Road, High Court Junction, Ernakulam, Kochi-682031.

Notices and processes on the respondents may be served on their above mentioned address or on their counsel as and when engaged.

STATEMENT OF FACTS

1. The petitioner herein is the mother of two students studying in the 1st respondent school which is affiliated to 3rd respondent CBSE, coming under the jurisdiction of the 4th respondent.

2. The petitioner's elder daughter named Krishnapriya is seeking to join Class XI after completion of Class X, whereas her younger daughter named Lakshmipriya has now been promoted and will be in Class X this academic year.

3. It is submitted that the petitioner's children are good in studies with good conduct certified by the 1st respondent's authorities itself.

4.1. The said Krishnapriya wanted to join Class XI by opting for science as first choice (Physics, Chemistry, Biology and Psychology being the subjects) as she was provided 4 group choices like Science, Maths, Commerce and Humanities. Krishnapriya did not want to choose Maths as her option.

4.2. However the 1st respondent denied Krishnapriya the science group, she had desired and opted, strangely stating that her Maths score for onsite exam is not enough for securing admission to science stream. As a matter of fact as per 3rd respondent's scheme of studies, detailed in Policy for tabulation of marks for Class X board exams 2021 based on the internal assessments conducted by schools brought out by a notification students are allowed to take any combination of subjects without any streaming, which has to be strictly followed by all CBSE schools. True copy of the relevant pages of the said Policy for tabulation of marks dt 01.05.21 is herewith exhibited as **Ext P-1**.

4.3. It can be found from Ext P-1 itself that Class XI admission for students of same school is considered as a promotion and it also specifies that the students should be offered any combination of subjects

without streaming and all CBSE schools are mandated to follow the same.

4.4 When the petitioner questioned the said decision of the 1st respondent stating that it is against the CBSE rules and regulations and also against the new Education policy of the Central Govt and further asked them what happens if a student opts for Maths and continues with science stream in Class XI, would they allot science stream for that student, they did not provide any proper or convincing reply, as they were cornered. The 1st respondent told the petitioner that they only act according to their own policy decision, which means they are not keen on following the CBSE rules and scheme of studies or the new Education policy of the Central Govt.

4.5. The authorities of 1st respondent pressurised the petitioner to pay admission fee and other fees including annual fee and tuition fee on or before 12th May 21 for Classes XI and XII and book a seat for Krishnapriya in the 4th group (Humanities) consisting of Psychology, Sociology, Political science, Legal science and English subjects, much against the desire of Krishnapriya, who only desired the science group. When the petitioner and Krishnapriya objected to this, the said authorities told the petitioner that they would arrange a seat in the science group only after the CBSE Class X results are published. True copy of the said letter issued by the VP Admissions of the 1st respondent to the petitioner is herewith exhibited as **Ext P-2.**

5.1 It can be seen from Ext P-2 itself that the 1st respondent very well knew about the desire of Krishnapriya for science group. It is clearly stated in Ext P-2 that options can be considered only after the final declaration of CBSE board Grade X results by June 20. It is submitted that the said decision is violative of the standard operating procedure for admission to Classes IX and XI included in the framework and significant guidelines of 2020-21 formulated by the 1st respondent. True copy of the relevant pages of the framework and significant guidelines for 2020-21 including the standard operating procedures of admission to Classes IX and XI along with 3rd respondent's forwarding letter is herewith exhibited as **Ext P-3.**

5.2 When the petitioner objected to the stand taken by the 1st respondent, the Vice Principal told her that they have to accommodate the new students coming from other schools also in Class XI. It is submitted that there is no mandate from CBSE that new students from other schools have to be accommodated mandatorily in Class XI and more so at the cost of the students studying in the same school. The petitioner understands that usually schools would give more preference to students in their own school promoted to Class XI than to students of other schools. Only when there exists vacancies when it's own students go elsewhere for admission to Class XI, the other students are given admission to fill the vacancies which arose thus.

5.3 It can be seen from Ext P-3 (at page 47) that all admissions to Class XI (by promotion) should fulfill all criteria of the Examination and Affiliation byelaws of the CBSE. It is submitted that there is no mandate that students from other schools should be accommodated before admitting students of same school. It can be found that therefore the stand of 1st respondent in denying admission to Krishnapriya is illegal and arbitrary.

6. The petitioner very well knows that she and her daughter are being taken for a ride by the authorities of the 1st respondent. The petitioner is perplexed to find that when the marks of Krishnapriya are known to the teachers of the school and also when they know the objective criteria and framework and guidelines of CBSE for allotment of subjects/group, then why should the authorities take such a stand and wait for the results of Class X. The framework and guidelines including the standard operating procedure for admission to Class XI have already been sent to all the CBSE schools by the 1st respondent as can be seen from the forwarding letter contained in Ext P-3. Moreover if they want to wait for Class X results to close admissions to Class XI, why should they commence online classes on 4th June 2021 itself.

7.1 The petitioner aggrieved by the 1st respondent's unjust and illegal stand wrote a letter to the Public Information Officer (PIO) of the 4th respondent under the RTI Act seeking information regarding the admission criteria for Class XI, while also asking whether a child will be eligible to study Physics, Chemistry, Biology etc.. if the child drops

Maths. Information was also sought whether schools are allowed to take donation in the name of re-admission fee (by promotion) from a student of the same school for joining Class XI.

7.2. The 4th respondent's PIO vide letter dated 21.06.21 replied to the petitioner's queries by requesting her to visit the links provided therein for answers. True copy of the said reply letter under RTI Act dated 21.06.21 is herewith exhibited as **Ext P-4**.

7.3. The petitioner thereafter visited both the sites through the links provided as per Ext P-4 and could find answers to both her queries by which she could understand that the stand taken by the 1st and 2nd respondents is in violation of CBSE rules and regulations. The petitioner found out the aforesaid Ext P-3 framework and guidelines including the standard operating procedure through the link provided in Ext P-4.

7.4. The petitioner found out that the aforesaid Ext P-3 framework and guidelines including the standard operating procedure was forwarded by the 3rd respondent to all the Principals/ Head of the institution of CBSE schools. It is submitted that the 2nd respondent would have also received the afore stated framework for admission to Class XI. Therefore it is submitted that the 1st and 2nd respondents are taking the illegal stand denying admission to Krishnapriya in Class XI, knowing very well that they are acting against the CBSE rules and guidelines, even after receipt of Ext P-3.

8.1. It is submitted that High Court of Orissa in Davian Parents Association & ors vs State of Orissa & ors by judgment dated 11.07.14 relying on the Apex Court judgments of Principal Kendriya Vidyalaya Vs Sourabh Chaudhary and also the The Principal Cambridge School Vs Payal Gupta had held that the school therein shall admit the students of the same school first because it is a promotion and not a fresh admission in Class XI and the court also observed that the students of the same school have to be admitted in different streams as per their aptitude and option exercised by them and after accommodating all the students of own school only, students from other schools shall be admitted. The Court further observed that depriving admission to students of same school in the name of securing less percentage of marks in Class X is contrary to law laid down by the apex court in

Sourabh Chaudhary's case. The court also relied on a CBSE Circular dt 29.07.2009 which directed CBSE Schools to give first preference to own students in Class XI, rather than students coming for admission from other schools.

8.2. In Sourabh Chaudhary's case the Apex Court held that it would be quite unreasonable and unjust to throw out a student on the basis of marks in Class X.

8.3 In such circumstances and from the law mentioned above mandated by CBSE, it can be safely assumed that the 1st respondent is deliberately violating it with certain ulterior motives. It is therefore submitted that such a stand taken by the 1st respondent's authorities to accommodate students from other school at the expense of their own students has to be viewed as a ploy to garner more money as admission fees amounting to lakh of rupees. It is apposite to mention here that the 1st respondent charges hefty admission fees amounting to several lakhs for admitting students coming from other CBSE schools to Class XI.

9.1. It is submitted that Krishnapriya was regular in online/virtual classes completing all her Practical Records, Projects, PTTs, Tests and various Assignments within time and without fail and to the satisfaction of the teachers of the school.

9.2. Krishnapriya wrote all her 5 PT examinations even ignoring her illness of acute anemia. Even though PTS was a tough and hard exam to crack compared to other exams, Krishnapriya scored good marks, except in Maths. It is submitted that many students failed in PT 5. PT6 a comparatively easy exam was conducted in April, which Krishnapriya could not write due to health issues. As covid cases were in the rise at that time, the petitioner thought it was not advisable to send Krishnapriya to school to write the onsite exam. Now the 1st respondent school is arbitrarily taking her PT 5 marks alone and thereby denying her science stream strangely stating that her Maths score is not up to the mark.

10. The petitioner questioned about the manner in which internal marks are awarded to Krishnapriya as the petitioner believes that Krishnapriya's hard work in completing all her Practical Records,

Projects, PTTs, Tests and various Assignments within time and without fail has not been properly appreciated by the authorities.

11. It is submitted that Krishnapriya had faced a lot of issues since 2017. Krishnapriya was scoring good marks in Mathematic subject upto Class IX. The authorities of the 1st respondent school including Principal and Vice Principal with some ulterior motives wanted Krishnapriya to drop Maths. They therefore began to pressurize and dissuade Krishnapriya from persuing Maths. Krishnapriya thereafter, lost her aptitude in Maths and she never became comfortable in Maths in Class X. The Principal even threatened in her cabin room in the presence of the petitioner telling Krishnapriya that she has to perform well in Maths and there will not be any retest in Maths in Class IX if she fails.

12.1. It is submitted that Krishnapriya scored good marks in external exams after gaining courage tiding over the discouraging words and threats of Principal and Vice Principal as stated above. However Krishnapriya was awarded only 10.27 out of 20 marks in internals so that she drops Maths. True copy of Krishnapriya's mark sheet including internal marks in Class IX is herewith exhibited as **Ext P-5**. From a perusal of Ext P-5 the bonafides of petitioner's submissions can be found out.

12.2 It can be seen that only 10.27 internal marks were awarded out of 20 for Maths. It can also be seen from Ext P-5 that Krishnapriya's overall grade is A. It can be further seen from Ext P-5 that Krishnapriya has scored more than 74% in all subjects except Maths in Class IX.

13. The petitioner's second child Lakshmipriya had also faced certain issues from the authorities of 1st respondent. She has faced several hurdles while being promoted to Class X.

14.1. It is submitted that it is evident from Ext P-2 that the 1st respondent is levying Rs.35,000 as re-admission fee for joining in Class XI though it is only a promotion from Class X.

14.2. The 1st respondent has already commenced online classes for Class XI in the first week of June 2021 itself and has not so far allowed Krishnapriya to enter the online classes for Class XI as she has not paid the hefty sum of Rs 35,000 as (re)admission fees, thereby

violating the various judgments of the Supreme court and this hon'ble High court and also the circular issued by the 5th respondent to levy only such fees commensurate to the actual expenditure incurred by the 1st respondent. The 1st respondent had also illegally collected Rs 1500 for even issuing Class XI admission application form.

14.3 The petitioner along with other parents have challenged the 1st respondent's levy of 35,000 re-admission fee and other fees including tuition fee by filing a Writ Petition before this hon'ble court.

14.4 It is submitted that though online classes for Class XI has begun since 4th June 2021, Krishnapriya has not been allowed entry in any group, be it science group she has desired or humanities group she has been allotted. It is submitted that this is a violation of Krishnapriya's fundamental Right to Education. The 1st respondent's authorities wanted Krishnapriya to wait till Class X results are out

15. It is submitted that Krishnapriya is sitting idle not being able to attend any class in Class XI after her Class X studies have been completed. Therefore it has to be inferred that her promotion to Class XI is withheld, for reasons only known to the 1st respondent's authorities.

16.1. Another issue faced by the parents is that they have no forum to address their grievance, as the authorities would target the children of the complaining parents and would literally harass them and would also see to it that the said children won't get the desired options. Therefore the parents would keep quite by tolerating the problems to keep peace with the management of the 1st respondent.

16.2. It is further submitted that the 1st respondent school doesn't have a Parent Teachers Association (PTA) to discuss or raise an issue relating to students, teachers or the management unlike in other similarly placed CBSE schools. It is submitted that a dummy PTA is said to be formed with members arbitrarily chosen by the management of the 1st respondent. It is submitted that the dummy PTA consists of only two parent members, one of which is Shalini Thomas VP, Admissions an employee of the 1st respondent itself and the other parent is James Joseph, a Factory Manger at Choice Canning Co a sister concern, which exposes the arbitrary set up of PTA. Moreover, till now, not even a single

PTA meeting has been convened. Individual voices which question the decisions of the school management are either ignored or dismissed by the 1st respondent school management as irrelevant. Moreover, parents like the petitioner really apprehend that if they raise any issues to the dislike of the management, their children would be targeted and would be at risk.

17. It is submitted that therefore the petitioner cannot raise the issue faced by her daughter Krishnapriya before a recognized PTA. Hence the petitioner is approaching this hon'ble court for addressing her grievances.

18. The petitioner aggrieved by the antagonizing attitude of the authorities of the 1st respondent, submitted a representation by email communication to the 3rd and 4th respondents mentioning in detail her grievances mentioned herein above. A true copy of the said email dated 15.05.21 is herewith exhibited as **Ext P-6**. Copies of Krishnapriya's Class Report cards of Class 6 to 10, Internal assessment files of Class 10, various correspondences with the school and certain videos were enclosed along with Ext P-6 to prove her case.

19. Thereafter a complaint was submitted by the petitioner before the National Commission for Protection of Child Rights (NCPCR) who forwarded the said complaint to the 5th respondent to take necessary action. A true copy of the forwarding letter dated 17.05.21 of NCPCR is herewith exhibited as **Ext P-7**.

20. Apart from the above representations and complaint, the petitioner also submitted a complaint to the hon'ble Chief Minister of Kerala and the 5th respondent by email, forwarding Exts P-6 and P-7. True copy of the said complaint dated 20.05.21 is herewith exhibited as **Ext P-8**.

21. In spite of the petitioner's efforts and above referred complaints/representations, the petitioner's grievance has still not been addressed and resolved.

22. The petitioner aggrieved by the attitude of the authorities of the 1st respondent in taking an adamant and unreasonable stand in not allotting the desired science stream to the petitioner's daughter and

denying entry to her in Class XI (any group) approaches this hon'ble court on the following

GROUND

1. It is submitted that. the 1st respondent ought to have allotted the petitioner's daughter Krishnapriya her desired option of Science group as she has enough marks to get her admission to the science group on merits itself. It can be seen that the denial of admission to Krishnapriya to science group to Class XI is in gross violation of Exts P-1 and P-3 formulated by 3rd respondent, which the 1st respondent is bound to follow.
2. It is submitted that the denial of science group to the petitioner's daughter on the sole reason that her Maths score is not upto the mark is unfair and unreasonable, particularly when she has not chosen or opted for Maths along with science group. It is in violation of Ext P-1 and the law laid down by the Apex Court. The 1st respondent need only to look into the marks the student has scored for Science in Class X or downward classes. There is no case for the 1st respondent that her science score is low so as to deny her science group.
3. The 1st respondent's attitude in waiting for Class X results of CBSE so as to accommodate students from other schools prejudicing several students of the 1st respondent's school including Krishnapriya is perse arbitrary, unjust and irrational and violative of Ext P-1 and P-3 and therefore8 liable to be interfered by this hon'ble court. It is pertinent to note that Class XI, online classes have already commenced on 4th June 2021. It is submitted that there is no mandate from CBSE or it's rules and regulations stating that new students from other schools have to be accommodated mandatorily and more so at the cost of the students studying in the same school.
4. This is a clear violation of law laid down by Apex Court in Saurabh Chaudhary's case and Payal Gupta's case, which held that students of their own school should be given preference than to students of other schools in Class XI admissions. Moreover CBSE circular dated 29.07.09 also supports the Apex Court 's view.

5. The petitioner submits that the stand of 1st respondent's authorities to accommodate students from other school at the expense of their own students has to be viewed as a ploy by the 1st respondent to garner more money as admission fees amounting to lakhs of rupees.
6. It is submitted that the stand of denying admission to science group of Class XI to Krishnapriya on the ground that her Maths score is low and final results of Class X are to be awaited are in gross violation of CBSE rules and regulations more especially Ext P-1 policy for tabulation of marks and also Ext P-3 framework and guidelines including the standard operating procedure formulated by CBSE for this academic year. Such a stand is also against the law laid down by the Apex Court in Sourabh Chaudhary's case and Payal Gupta's case.
7. When the petitioner questioned the decision of the 1st respondent not to allot science group, stating that it is against the CBSE rules and regulations and also the new Education policy of the Central Govt, the 1st respondent just told the petitioner that they only act according to their own policy decision, which means they are not keen on following the CBSE rules and regulations including Exts P-1 and P-3 or the new Education policy of the Central Govt.
8. Another issue faced by the parents is that they have no forum to address their grievance, as the authorities would target the children of the complaining parents and would literally harass them and would also see to it that the said children won't get the desired options. Therefore the parents would keep quiet tolerating the problems to keep peace with the management.
9. It is submitted that Krishnapriya has been denied entry to any group of Class XI after the online class have commenced on 4th June, violating her fundamental right to education. It is to be inferred that even her promotion to Class XI is suspiciously withheld.
10. In spite of the petitioner's efforts and above referred complaints/ representations, the petitioner's grievance has not been addressed and resolved.

11. Such other grounds as may be urged at the time of hearing.

Reliefs

In the circumstances mentioned above it is respectfully prayed that this hon'ble court may be pleased by a Writ of Mandamus to:-

1. Direct the 3rd and 4th respondents to see that the 1st respondent allots the petitioner's daughter Krishnapriya, the science group she had opted for in Class XI and allow her to attend online classes of Class XI.
2. Direct the 2nd and 3rd respondents to see that the 1st respondent complies with the CBSE rules and regulations regarding allotment of groups to students in Class X in the same school and see to it that marks in Maths are not considered to admission to science group, if Maths is not opted by the student.
3. Pass such other orders deemed fit and proper in the circumstances of the case.

Interim Relief

For the reasons stated in the Writ Petition and the accompanying affidavit it is respectfully prayed that this hon'ble Court may be pleased to direct the 3rd and 4th respondents to see that the 1st respondent allots the petitioner's daughter Krishnapriya, the science group she had opted for in Class XI and allow her to attend online classes of Class XI, pending disposal of this Writ Petition.

Dated this the 28th day of June, 2021.

H. Ramanan
Counsel for petitioner

Smitha Kishore
Petitioners

**BEFORE THE HON'BLE HIGH COURT OF KERALA AT
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W.P. (C)/2021

Smitha Kishore : **PETITIONER**
vs.
The Choice School & ors : **RESPONDENTS**

AFFIDAVIT OF THE PETITIONER

I, Smitha Kishore, aged 44 years w/o Kishore Raveendran residing at 7C, Choice Paradise, S.N.Junction, Thrippunithura, Kochi – 682 301 do solemnly affirm and state as follows

1. I am the Petitioner herein and competent to swear this affidavit.
2. The Writ Petition has been filed to direct the 3rd and 4th respondents to see that the 1st respondent allots the petitioner's daughter science group and also to see that the 1st respondent complies with the CBSE rules and regulations regarding allotment of groups to students in Class X and see to it that marks in Maths are not considered to admission to science group
3. The facts stated in paragraphs 1 to 22 of the Writ Petition are true and correct to the best of my knowledge and belief.
4. Exts.P-1 to P-8 produced along with this Writ Petition are true copies of documents of which they are purported to be copies.
5. No other Petition has been filed by the petitioner seeking the same or similar reliefs.
6. The above facts are true.

Dated this the 28th day of June, 2021.

Smitha Kishore
Deponent

Sworn to before me by the deponent }
whom I know personally on this the }
28th day of June, 2021 in my }
office at Ernakulam. }

H.Ramanan
Advocate

**BEFORE THE HON'BLE HIGH COURT OF KERALA AT
ERNAKULAM**

W.P. (C)/2021

Smitha Kishore : **PETITIONER**
vs.
The Choice School & ors : **RESPONDENTS**

Synopsis

1. This Writ Petition has been filed to direct the 3rd and 4th respondents to see that the 1st respondent allots the petitioner's daughter Krishnapriya science group and also to see that the 1st respondent complies with the CBSE rules and regulations regarding allotment of groups to students in Class X and see to it that marks in Maths are not considered to admission to science group.
2. The said Krishnapriya after completing Class X in the 1st respondent's school wanted to join Class XI by opting for Science group as first choice (Physics, Chemistry, Biology and Psychology being the subjects) as she was provided 4 group choices like Science, Maths, Commerce and Humanities. Krishnapriya did not want to choose Maths group as her option.
3. However the 1st respondent denied Krishnapriya the science group she had desired and opted for, strangely stating that her Maths score for onsite exam is not enough for securing admission to science stream. It is in gross violation of CBSE rules and regulations more especially Ext P-1 and Ext P-3.
4. As per Ext P-1 policy for tabulation of marks for Class X exams based on the internal assessments for this academic year the students are allowed to offer any combination of subjects without any streaming and schools are mandated to follow the same. Therefore it can be seen that there is no streaming in CBSE. As per Ext P-3, admission to Class XI is only a promotion and not a fresh admission. It is mandated in Ext P-3 that all CBSE schools should fulfill all the criteria in the examination and affiliation byelaws of CBSE.

5. The authorities of 1st respondent pressurised the petitioner to pay admission fee and other fees including annual fee and tuition fee on or before 12th May 21 for Classes XI and XII and book a seat for Krishnapriya in the 4th group much against her desired option of science group. When the petitioner and Krishnapriya objected to this, the authorities told the petitioner that they would arrange a seat in the science group only after the CBSE Class X results are published.
6. It is submitted that the denial of science group to Krishnapriya for the sole reason that her Maths score is not upto the mark is unfair and unreasonable, particularly when she has not chosen or opted for Maths along with science group. The 1st respondent need only to look into the marks the student has scored in science in Class X or downward classes. There is no case for the 1st respondent that her science score is low so as to deny her science group.
7. The 1st respondent's attitude in waiting for Class X results of CBSE so as to accommodate students from other schools prejudicing several students of the 1st respondent's school including Krishnapriya is perse arbitrary, unjust and irrational and violative of Exts P-1 and P-3 and therefore liable to be interfered by this hon'ble court.
8. It is done only to garner more money as admission fees amounting to lakhs in Class XI admission from students coming from other schools. It is submitted that as per the Apex Court decision in Saurabh Chaudhary's case and Payal Gupta's case and a CBSE Circular dated 27.09.2009, admission of students of the same school in Class XI is a promotion and not a fresh admission. It is also held in the above judgments that students of the same school shall be accommodated first in Class XI before giving admission to students coming from other schools.
9. Ext P-3 framework and guidelines including the standard operating procedure for Class XI admissions do not support the stand of the 1st respondent school. It is pertinent to note that the said framework and guidelines have been sent to all CBSE schools including the 1st respondent and therefore they cannot pretend ignorance.

10. It is submitted that though online classes for Class XI has begun since 4th June 2021, Krishnapriya has not been allowed entry in any group, be it science group she has desired or humanities group she has been allotted. It is submitted that this is a violation of Krishnapriya's fundamental Right to Education.
11. It is submitted that Krishnapriya is sitting idle not being able to attend any class in Class XI after her Class X studies have been completed. Therefore it has to be inferred that her promotion to Class XI is withheld, for reasons only known to the 1st respondent's authorities.
12. When the petitioner questioned the decision of the 1st respondent not to allot science group, stating that it is against the CBSE rules and regulations and also the new Education policy of the Central Govt, the 1st respondent just told the petitioner that they only act according to their own policy decision, which means they are not keen on following the CBSE rules and regulations or the new education policy of the Central Govt. Hence this Writ petition.7

Dates and Events

1. 01.05.21 - Notification issued by 3rd respondent regarding Policy for tabulation of marks for Class X exams
2. 10.05.21 - Communication from 1st respondent to petitioner to remit fees and secure admission for Group IV in Grades XI and XII.
3. 15.05.21 - Petitioner's email to respondents 3 and 4 to take action to get Science group in Class XI in the same school for Krishna priya.
4. 17.05.21 - Petitioner's complaint forwarded by National Commission for protection of Child Rights to 5th respondent.
5. 20.05.21- Complaint to Chief Minister and 5th respondent.
6. 04.06.21 -Online classes for Class XI commenced in 1st respondent's school.

Dated this the 28th day of June, 2021

H.Ramanan
Counsel for Petitioner

**BEFORE THE HON'BLE HIGH COURT OF KERALA AT
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W.P. (C)/2021

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I N D E X

Sl.No.	Date	Description	Pages
1.	28.06.21	Synopsis	A - C

2.	28.06.21	Memorandum of Writ petition	1 - 13
3.	28.06.21	Affidavit	14
4.	01.05.21	<u>Ext P-1</u> Relevant extracts of Notification regarding Policy of tabulation of marks for Class X exams 2021 based on internal assessments (True copy)	15-24
5.	10.05.21	<u>Ext.P-2.</u> Letter by email issued by VP Admissions of the 1 st respondent to the petitioner (True copy)	25-26
6.	<u>Ext P-3</u> Relevant extracts of Frame work and guidelines including standard operating procedure for admission to Classes IX and XI along with forwarding letter. (True copy)	27-34
7.	21.06.21	<u>Ext P-4.</u> Reply letter by PIO of R-4 under RTI Act (True copy)	35
8.	<u>Ext P-5.</u> Krishnapriya's Mark sheet including Internal marks (True copy)	36
9.	15.05.21	<u>Ext.P-6.</u> Petitioner's representation by email to the 3 rd and 4 th respondents. (True copy)	37-38
10.	17.05.21	<u>Ext P-7</u> Letter of National Commission of Protection of Child Rights forwarding petitioner's complaint to the 5 th respondent for necessary action. (True copy)	39
11.	20.05.21	<u>Ext.P-8</u> Petitioner's complaint by email to Chief Minister of Kerala and the 5 th respondent (True copy)	40

Dated this the 28th day of June, 2021

H.Ramanan
Counsel for Petitioners

APPENDIX

PETITIONER'S EXHIBITS

1. 01.05.21 **Ext.P-1**. True copy of relevant extracts of Notification regarding policy of tabulation of marks for Clss X exams 2021 based on internal assessments.
2. 10.05.21 **Ext.P-2**. True copy of . Letter by email issued by VP Admissions of the 1st respondent to the petitioner.
3. **Ext P-3**. True copy of Relevant extracts of Frame work and guidelines including standard operating procedure for admission to Classes IX and XI along with forwarding letter.
4. 21.06.21 **Ext P-4**. True copy of reply letter by PIO of R-4 under RTI Act.

5. **Ext P-5.** True copy of Krishnapriya's Mark sheet including Internal marks
6. 15.05.21 **Ext.P-6.** True copy of Petitioner's representation by email to the 3rd and 4th respondents
7. 17.05.21 **Ext P-7** true copy of letter of National Commission of Protection of Child Rights forwarding petitioner's complaint to the 5th respondent for necessary action.
8. 20.05.21 **Ext.P-8.** True copy of Petitioner's complaint by email to Chief Minister of Kerala and the 5th respondent.

Presented on : 30.06.21

Subject : Miscellaneous - Seeking direction to allot the petitioner's daughter Science group in Class XI and other reliefs.

**BEFORE THE HON'BLE HIGH COURT OF KERALA AT
ERNAKULAM**

W.P. (C)/2021

Smitha Kishore : **PETITIONERS**

vs.

The Choice School & ors. : **RESPONDENTS**

**Writ Petition filed under Article 226
of the Constitution of India.**

**H.RAMANAN K/548/93 (R 263)
COUNSEL FOR PETITIONERS**