

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE GOPINATH.P.

WEDNESDAY, THE 13TH DAY OF MAY, 2020/23RD VAISAKHA, 1942

W.P(C) NO. 8662 OF 2020

PETITIONERS:

1. AISHWARYA SURENDRAN, D/O SURENDRAN, RESIDING AT VALIYAVEETTIL HOUSE, PULIYOOR PO, CHENGANNUR, ALAPUZHA DISTRICT; NOW RESIDING AT BUILDING 20, STREET 971 ZONE 40 NEW SALATA DOHA, QATAR; MINOR REPRESENTED BY GUARDIAN/FATHERSURENDRAN, RESIDING AT VALIYAVEETTIL HOUSE, PULIYOOR PO, CHENGANNUR, ALAPUZHA DISTRICT, PIN 689510;

2. Wafa FATHIMA, D/O FASALUL HUCK, NAMBIOLCHALIL HOUSE, PO PALAYAD NADA, VADAKARA, KOZHIKODE DISTRICT; NOW RESIDING AT: BUILDING 3, STREET 930, ZONE 54, SHAFIATHKHALIFA, DOHA, QATAR; MINOR REPRESENTED BY GUARDIAN/FATHERFASALUL HUCK, NAMBIOLCHALIL HOUSE, PO PALAYAD NADA, VADAKARA, KOZHIKODE DISTRICT, PIN 673530.

3. SHAMELRENITA FERNANDES, D/O MELROYS. FERNANDES, SRI AMBAL, HOUSE NO 60, PERMUDEPO, BAJPE, MANGALORE, KARNATAKA; NOW RESIDING AT BUILDING 9, STREET 999 OLD AIRPORT ROAD, DOHA, QATAR; MINOR REPRESENTED BY GUARDIAN/FATHERMELROY S. FERNANDES, SRI AMBAL, HOUSE NO 60, PERMUDE PO, BAJPE, MANGALORE, KARNATAKA, PIN 5530048.

4. VIANMORISH, S/O MAURICETAURO, KALLARE HOUSE, DARDEPUTTUR, DAKSHINAKANADA, KARNATAKA; NOW RESIDING AT FLAT 4, SKS BUILDING, UMM GWALINA, DOHA, QATAR; MINOR REPRESENTED BY GUARDIAN/FATHER - MAURICE TAURO, KALLARE HOUSE, DARDEPUTTUR, DAKSHINAKANADA, KARNATAKA, PIN 574202.

5. SHEKHRAED, S/O SHEKHJUNAIDALAM, H. NO. 05, ROAD NO. 09, OLD PURULIA ROAD, ZAKIR NAGAR WEST MANGO, JAMSHEDPUR; NOW RESIDING AT 67, STREET 630, OLD AIRPORT ROAD, DOHA, QATAR; MINOR REPRESENTED BY GUARDIAN/FATHER: SHEKHJUNAIDALAM, H. NO. 05, ROAD NO. 09, OLD PURULIA ROAD, ZAKIR NAGAR WEST MANGO, JAMSHEDPUR, JHARKHAND, PIN 832110.

6. REHANABID, S/O ABID MOHAMMAD K SHAIKH, 11A-701, ANITA NAGAR, LOKHANDWALA COMPLEX, KANDIVALI EAST, MUMBAI, MAHARASTRA, PIN 400001; NOW RESIDING AT BUILDING 43, STREET 870, NEW MURRAH, DOHA, QATAR; MINOR REPRESENTED BY GUARDIAN/FATHER -ABID MOHAMMAD K SHAIKH, 11A-701, ANITA NAGAR, LOKHANDWALA COMPLEX, KANDIVALI EAST, MUMBAI, MAHARASTRA, PIN 400001.

RESPONDENTS :

1. STATE OF KERALA, REPRESENTED BY IT'S SECRETARY, DEPARTMENT OF EDUCATION, SECRETARIAT, THIRUVANANTHAPURAM, PIN- 695 001.
2. UNION OF INDIA, REPRESENTED BY ITS SECRETARY, DEPARTMENT OF HRD EDUCATION, NEW DELHI, PIN 110001.
3. SECRETARY, REGIONAL OFFICE, NATIONAL INSTITUTE OF OPEN SCHOOLING, 6TH FLOOR, KERALA STATE HOUSING BOARD BUILDING, PANAMPALLY NAGAR, KOCHI, KERALA 682036.
4. CHAIRMAN, NATIONAL INSTITUTE OF OPEN SCHOOLING, A-24/25, INSTITUTIONAL AREA, SECTOR - 62, NOIDA DISTRICT, GAUTAMBUDH NAGAR, UTTAR PRADESH - 201 309.

BY R1 SRI.K.P.HARISH, GOVERNMENT PLEADER
BY R2 SRI.P.VIJAYAKUMAR, ASGI
BY R3 & R4 SRI.T.K.VENUGOPALAN

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON 13.05.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

The petitioners are directed to apply online for enrollment for the Senior Secondary Examination to be conducted by the third and fourth respondents.

2. Sri.T.K.Venugopalan, the learned Standing Counsel appearing for respondents 3 and 4, would submit that any application has to be made online and undertakes to obtain instructions from the respondents as to whether the petitioners can be permitted to sit for the examination to be conducted at the Overseas Centre in Doha, Qatar in June 2020.

Post this matter on 15.5.2020 for further consideration.

**P.GOPINATH
JUDGE**

CSL

APPENDIX

PETITIONERS' EXHIBITS:

EXHIBIT P1:- THE SECONDARY SCHOOL LEAVING CERTIFICATE ISSUED TO 1ST PETITIONER.

EXHIBIT P2:- THE SECONDARY SCHOOL LEAVING CERTIFICATE ISSUED TO 2ND PETITIONER.

EXHIBIT P3:- THE SECONDARY SCHOOL LEAVING CERTIFICATE ISSUED TO 3RD PETITIONER.

EXHIBIT P4:- THE SECONDARY SCHOOL LEAVING CERTIFICATE ISSUED TO 4TH PETITIONER.

EXHIBIT P5:- THE SECONDARY SCHOOL LEAVING CERTIFICATE ISSUED TO 5TH PETITIONER.

EXHIBIT P6:- THE SECONDARY SCHOOL LEAVING CERTIFICATE ISSUED TO 6TH PETITIONER.

EXHIBIT P7:-TRUE COPY OF THE REPRESENTATION DATED 28-10-2019 SUBMITTED TO THE 4THRESPONDENT CHAIRMAN OF NIOS BOARD.

EXHIBIT P8:- TRUE COPY OF THE REPRESENTATION DATED 15.01.2020 SUBMITTED BEFORE THE 3RDRESPONDENT.

EXHIBIT P9:- TRUE COPY OF THE REPRESENTATION DATED 11.02.2020 SUBMITTED BEFORE THE HON'BLE CHIEF MINISTER OF KERALA.

EXHIBIT P10:- TRUE COPY OF THE REPRESENTATION DATED 11.02.2020 SUBMITTED BEFORE THE HON'BLE EDUCATION MINISTER OF KERALA.

EXHIBIT P11:- TRUE COPY OF THE LETTER DATED 19-2-2020 ISSUED BY THE OFFICE OF SHRI. E.T. MOHAMMED BASHEER, MEMBER OF PARLIAMENT TO PROF. CHANDRA BHUSHAN SHARMA, CHAIRMAN, NIOS.

EXHIBIT P12:- TRUE COPY OF THE REPRESENTATION DATED 25-02-2020 SUBMITTED BY THE PETITIONERS BEFORE AMBASSADOR OF INDIA, INDIAN EMBASSY, DOHA - QATAR.

EXHIBIT P13:- TRUE COPY OF THE REPRESENTATION DATED 02-03-2020 SUBMITTED TO THE 4THRESPONDENT.

EXHIBIT P14:- TRUE COPY OF THE REPRESENTATION DATED 09-03-2020 SUBMITTED BY THE PETITIONERS TO THE UNION MINISTER FOR HUMAN RESOURCE DEVELOPMENT.

EXHIBIT P15:- TRUE COPY OF THE SENIOR SECONDARY (CLASS - XII) COURSE EXAMINATIONS SCHEDULED OF THE 4THRESPONDENT FOR THE YEAR ACADEMIC YEAR2019-2020.