

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 26TH DAY OF MARCH 2015/5TH CHAITHRA, 1937

RP.No. 290 of 2015 (W)

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AGAINST THE JUDGMENT IN WP(C) 12388/2014 DATED 29-01-2015
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REVIEW PETITIONER/3RD PARTY :

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M.P. MUHAMMED, AGED 53,
S/O. CHEKKUTTY, KOOTTALUNGAL HOUSE (N.V.R.)
CHELARI, VELIMUKKU P.O., MALAPPURAM (SL.NO.2183).**

**BY ADVS.SRI.K.S.MADHUSOODANAN
SRI.THOMAS CHAZHUKKARAN
SRI.M.M.VINOD KUMAR
SRI.P.K.RAKESH KUMAR
SRI.K.S.MIZVER**

RESPONDENTS/PETITIONER/RESPONDENTS 1 TO 4 :

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- 1. PATHUMMA K.
D/O. VEERAN K., KALATHINGAL HOUSE, KAMMADAJIPPADI
AMAYOOR P.O., MALAPPURAM DISTRICT.**
 - 2. THE UNIVERSITY OF CALICUT
CALICUT UNIVERSITY P.O., THENHIPALAM
MALAPPURAM DISTRICT, PIN-673 635
REPRESENTED BY ITS REGISTRAR.**
 - 3. REGISTRAR
UNIVERSITY OF CALICUT, CALICUT UNIVERSITY P.O.
THENHIPALAM, MALAPPURAM-673 635.**
 - 4. VICE CHANCELLOR
UNIVERSITY OF CALICUT, CALICUT UNIVERSITY P.O.
THENHIPALAM, MALAPPURAM, PIN-673 635.**
 - 5. DEPUTY REGISTRAR (ADMINISTRATION)
UNIVERSITY OF CALICUT, CALICUT UNIVERSITY P.O.
THENHIPALAM, MALAPPURAM, PIN-673 635.**

**R1 BY ADV. SRI.BABU S. NAIR
R2 TO R5 BY SRI.SANTHOSH MATHEW, SC**

**THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 26-03-2015,
ALONG WITH RP. 329/2015 & RP NO. 350/2015, THE COURT ON THE SAME
DAY PASSED THE FOLLOWING:**

APPENDIX

PETITIONERS' ANNEXURES :

- ANNEXURE I : PHOTOCOPY OF THE RELEVANT PAGES OF APPROVED LIST OF CLR PEON/WATCHMAN IN CALICUT UNIVERSITY AS ON 31-5-05.**
- ANNEXURE II PHOTOCOPY OF THE CLR IDENTITY CARD OF THE REVIEW PETITIONER.**
- ANNEXURE III PHOTOCOPY OF THE ORDER IN SPECIAL LEAVE TO APPEAL (CIVIL) NO. 31355/2010 OF THE HON'BLE SUPREME COURT DATED 8-4-13.**
- ANNEXURE IV PHOTOCOPY OF THE INTERIM ORDER DATED 2-5-14 IN WP(C) NO. 11818/2014 FILED BY PETITIONER AND OTHERS.**

RESPONDENT'S ANNEXURES : NIL

//TRUE COPY//

P.S. TO JUDGE

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A. MUHAMED MUSTAQUE, J.

R.P.No.290 of 2015

in

W.P.(C) No.12388 of 2014,

R.P.No.329 of 2015

in

W.P.(C) No.10529 of 2014 &

R.P.No.350 of 2015

in

W.P.(C) No.11805 of 2014

Dated this the 26th day of March, 2015

ORDER

These review petitions are filed at the instance of a third party, feeling aggrieved by the judgment of this Court to consider the writ petitioners for inclusion for selection to the 30% cadre strength of Peon/Watchman. The essential argument advanced by the learned counsel for the review petitioner is that the writ petitioners were not eligible to be considered for selection in view of the reason that they are not included in the approved list maintained by the University as per the amended Ordinance.

2. The learned counsel for the writ petitioners opposes the prayer of the review petitioners and submits that the amendment does not indicate that the list prepared in 2005, on the other

hand, it indicates only on the rules of the University.

3. I am not adverting to the rival claims of the review petitioners and writ petitioners. Essentially, the University is bound by the eligibility conditions after adverting to Rules and Regulations. The permission given to consider the writ petitioners for selection would only indicates that all writ petitioners shall be considered in accordance with their eligibility as prescribed under the Rules and Regulations. The review petitioners are at liberty to raise objection regarding their eligibility before the Selection Committee. Therefore, these review petitions are dispose of with the above clarification.

The review petitions are disposed of.

Sd/-
A. MUHAMED MUSTAQUE,
JUDGE.

//true copy//

P.S. to Judge

st/-