

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE ANTONY DOMINIC
&
THE HONOURABLE MR. JUSTICE SHAJI PCHALY

FRIDAY, THE 29TH DAY OF MAY 2015/8TH JYASHTA, 1937

W.A.No. 1897 of 2013 IN WP(C).23779/2013

AGAINST THE JUDGMENT IN WP(C) 23779/2013 of HIGH COURT OF KERALA DATED 20-11-2013

APPELLANTS/RESPONDENTS 1 AND 2:

1. VICE CHANCELLOR
UNIVERSITY OF KERALA, THIRUVANANTHAPURAM - 695 034.
2. REGISTRAR,
UNIVERSITY OF KERALA, TRIVANDRUM -695 034.

BY ADVS.SRI.GEORGE POONTHOTTAM,SC,KERALA UTY.
SRI.BECHU KURIAN THOMAS, SC, UNIVERSITY OF KERALA

RESPONDENTS/PETITIONER AND RESPONDENTS 3 AND 4:

1. JAMSHEER.C.M.
CHERUMANNIL HOUSE, CHERLARRO P.O., CALICUT - 673 571.
2. VICE CHANCELLOR,
UNIVERSITY OF CALICUT, THENHIPALAM
MALAPPURAM -676 505.
3. KERALA LAW ACADEMY,
REPRESENTED BY THE DIRECTOR/PRINCIPAL, PEROORKADA
TRIVANDRUM - 695 005.

R1 BY ADV. SMT.VIJAYAKUMARI
R2 BY SRI.SANTHOSH MATHEW,SC, CALICUTY UNIVERSITY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 29-05-2015, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC & SHAJI P.CHALY, JJ.

Writ Appeal No.1897 of 2013

Dated this the 29th day of May, 2015

JUDGMENT

Antony Dominic, J.

By the judgment under appeal, learned Single Judge disposed of the writ petition filed by the first respondent herein directing the appellants to issue an eligibility certificate as sought for in Ext.P4. It is aggrieved by this direction, the appellants have filed this appeal.

2. We heard the counsel for the appellants and considered the submissions made.

3. Facts show that the first respondent after completing plus two from the Board of Higher Secondary Education, Tamil Nadu and obtaining Ext.P5 certificate, joined the Calicut University and obtained a degree by undergoing regular course. Thereafter, he wanted to join the third respondent college for undergoing L.L.B. course. For this purpose, he sought eligibility certificate from the appellants and that was declined on the ground that plus two course undergone by him in Tamil Nadu was not a recognized course. It is this stand of the appellants, which was

disapproved by the learned Single Judge in the judgment under appeal.

4. Having heard counsel and considering the submissions, we are not satisfied that the conclusions of the learned Single Judge call for any interference. Admittedly, what was applied for by the first respondent was an eligibility certificate in respect of the degree obtained by him from Calicut University. Acceptability of that degree course undergone by the first respondent is not disputed by the appellants. However, the certificate was declined contending that the plus two course undergone by him in Tamil Nadu before joining Calicut University is not a recognized course. First of all, we have not been shown any statutory provision requiring recognition of the University for the Plus Two course and secondly, the application made by the first respondent was in respect of the degree course undergone by him and not plus two course.

5. In such circumstances, the University could not have declined the request on the ground that the Plus Two course undergone was not a recognized one. Admittedly, the first

respondent has completed his degree in 10+2+3 pattern which satisfies the prescriptions of the University. Such being the case, we are not satisfied that any grounds have been made out to interfere with the judgment under appeal.

Appeal is accordingly dismissed.

SD/-
ANTONY DOMINIC
JUDGE

SD/-
SHAJI P. CHALY
JUDGE

jes

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P.A. TO JUDGE