

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 13TH DAY OF MARCH 2015/22ND PHALGUNA, 1936

WA.No. 600 of 2015 () IN WP(C).6763/2015

AGAINST THE ORDER IN WP(C) 6763/2015 of HIGH COURT OF KERALA
DATED 09-03-2015

APPELLANT(S)/PETITIONER :-

ANASIYA ASHRAF, AGED 22 YEARS
D/O.ASHRAF, CHITTETHUKUDYIL HOUSE, ADIMALI P.O.
IDUKKI DISTRICT.

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENT(S)/RESPONDENTS :-

1. MAHATMA GANDHI UNIVERSITY
PRIYADARSINI HILLS P.O., KOTTAYAM - - 686 560
REPRESENTED BY ITS REGISTRAR
2. THE VICE CHANCELLOR
MAHATMA GANDHI UNIVERSITY, PRIYADARSINI HILLS P.O.
KOTTAYAM - 686 560.
3. THE CONTROLLER OF EXAMINATIONS
MAHATMA GANDHI UNIVERSITY, PRIYADARSINI HILLS P.O.
KOTTAYAM - 686 560.
4. THE PRINCIPAL, JPM COLLEGE OF ARTS & SCIENCE
KANCHIYAR P.O., LEBBAKKADA, KATTAPPANA
IDUKKI DISTRICT - 685 511.

BY ADV.SRI.GEORGE MATHEW
BY ADV.SRI.K.S.HARIHARAPUTHRAN
BY ADV.SRI.VARUGHESE M.EASO, SC, M.G.UNIVERSITY

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 13-03-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

**ASHOK BHUSHAN, Ag. C.J &
A.M. SHAFFIQUE, J.**

W.A. No.600 of 2015

Dated this the 13th day of March 2015

J U D G M E N T

Ashok Bhushan, Ag.CJ

Heard the learned counsel for the appellant and the learned Standing Counsel appearing for the University.

2. This appeal has been filed against the order dated 9.3.2015 passed by the learned Single Judge in W.P.(C) No.6763 of 2015. By the said order, the learned Single Judge had rejected the claim of the petitioner for provisional admission to the examination, which was to commence from 10th March, 2015, on the ground that the petitioner was not eligible to be admitted to the post-graduate course in English. The learned Single Judge has also directed the College to explain as to why an ineligible candidate was allowed to be admitted to the regular course, within ten days.

3. The University had already filed a counter affidavit stating that the petitioner was not eligible for admission to the regular course.

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4. Learned counsel for the appellant sought to contend that the marks, which were submitted by the appellant in the on-line application, were subsequently corrected and that the appellant may be permitted to continue the said course with private study.

5. Be that as it may, since a counter affidavit has already been filed and the matter is still pending before the learned Single Judge, we are of the view that all issues are to be considered by the learned Single Judge itself. We do not find any good ground to entertain the writ appeal, which was filed against the interim order passed on 9.3.2015, wherein, the learned Single Judge has granted time and is seized of the matter.

We thus, dismiss the writ appeal. It shall be open for the appellant to request for early hearing of the writ petition.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

//TRUE COPY//

P.A. TO JUDGE

Jvt