

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

MONDAY, THE 25TH DAY OF MAY 2015/4TH JYAISHTA, 1937

WA.No. 909 of 2015 () IN WP(C).9338/2015

**AGAINST THE ORDER/JUDGMENT IN WP(C) 9338/2015 of HIGH COURT OF KERALA
DATED 31-03-2015**

APPELLANT(S)/PETITIONER:

**MES COLLEGE OF NURSING
MES MEDICAL COLLEGE CAMPUS, PERINTHALMANNA
PALACHUVADU P.O.
MALAPPURAM DISTRICT REPRESENTED BY ITS DIRECTOR
DR.P.A.FAZAL GHAFOOR.**

**BY ADVS.SRI.BABU KARUKAPADATH
SMT.M.A.VAHEEDA BABU
SRI.K.A.NOUSHAD
SRI.P.U.VINOD KUMAR
SRI.KANDAMPULLY RAHUL
SRI.MITHUN BABY JOHN
SRI.J.RAMKUMAR**

RESPONDENT:

**STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
DEPARTMENT OF HEALTH AND FAMILY WELFARE
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.**

BY SR GOVERNMENT PLEADER SRI.P.J.DAVIS

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 25-05-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**ASHOK BHUSHAN, CJ
&
A.M. SHAFFIQUE, J.**

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W.A. No. 909 of 2015

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Dated this, the 25th day of May, 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard the learned counsel for the appellant and the learned Government Pleader.

2. This writ appeal has been filed against the judgment dated 31st March, 2015 in W.P (C) No. 9338/15. Appellant had come up in the writ petition seeking a direction to respondent to revalidate Ext.P1 NOC to enable the petitioner to commence Post Basic B.Sc. Nursing Course in its College in the academic year 2015-16. Learned single Judge after hearing the writ petition disposed of the petition directing the respondent to consider and pass orders on Ext.P6 application within three months from the date of receipt of a copy of the judgment. Learned counsel for the appellant/petitioner submits that copy of the judgment was immediately served. Learned Government Pleader after obtaining

instructions submits that the file was misplaced and delay is caused in disposing of the application.

3. Learned counsel for the appellant submits that since the prayer was only for revalidation of NOC, no serious issue was involved and the State could have proceeded to dispose of the application at the earliest. Considering the facts of the present case, we are of the view that, ends of justice deserve in disposing of the writ appeal with a direction to the State to pass appropriate orders on Ext.P6 application for revalidation of NOC on or before 15th of June, 2015.

Appeal is disposed of as above.

Sd/-
ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp

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PA to Judge