

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

WA.No. 968 of 2015 () IN WP(C).1640/2015

AGAINST THE JUDGMENT IN WP(C) 1640/2015 of HIGH COURT OF KERALA
DATED 16-01-2015

APPELLANT(S)/PETITIONER :-

DR.ANEES RAHMAN.M.A, AGED 28 YEARS,
S/O.M.ABDUL KAREEM, ETYTYPARAMBIL HOUSE,
P.O.PALLICKAL, MALAPPURAM - 673 634.

BY ADV. SRI.T.M.ABDUL LATHEEF

RESPONDENT(S)/RESPONDENTS :-

1. UNION OF INDIA, REP. BY SECRETARY TO GOVERNMENT,
HEALTH AND FAMILY WELFARE DEPARTMENT,
GOVERNMENT OF INDIA, NEW DELHI.
2. THE MEDICAL COUNCIL OF INDIA REP. BY ITS PRESIDENT,
SECTOR 8, POCKET 14, DWARAKA-1,
NEW DELHI - 110 077.
3. NATIONAL BOARD OF EXAMINATIONS, MEDICAL ENCLAVE,
ANSARI NAGAR, MAHATMA GANDHI MARG (RING ROAD),
NEW DELHI - 110 029.
4. THE DEAN (PRINCIPAL), GOVERNMENT MOHAN KUMARAMANGALAM,
MEDICAL COLLEGE HOSPITAL, SALEM - 636 001.

R2 BY SRI.TITUS MANI VETTOM, SC,
R1 BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 02-06-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

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

W.A. No.968 of 2015

Dated this the 2nd day of June 2015

J U D G M E N T

Ashok Bhushan, CJ

This writ appeal is filed against the judgment dated 16.1.2015, by which, the learned Single Judge dismissed the writ petition holding that this Court has no territorial jurisdiction over the 4th respondent. The 4th respondent is a college situated in the State of Tamil Nadu. The petitioner's grievance is that the 4th respondent is not taking steps to return the certificates, which were deposited with them at the time of admission, which includes, CBSE 10th, Plus Two, MBBS certificates and other certificates. Since the relief sought is against the 4th respondent, which is situated outside the territorial jurisdiction of State of Kerala, no cause of action pertaining to the issue raised in the writ petition arises within the State of Kerala.

2. In the above view of the matter, we do not find any error in dismissing the writ petition by taking the view that this Court has no territorial jurisdiction. If so advised, the petitioner shall approach the territorial jurisdiction of High Court of Tamil Nadu.

W.A. No.968 of 2015

-: 2 :-

With the above observation, this writ appeal is dismissed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

//TRUE COPY//

P.A. TO JUDGE

Jvt