

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE ANTONY DOMINIC
&
THE HONOURABLE SMT. JUSTICE P.V.ASHA

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

WA.No. 624 of 2014 IN WP(C).113/2014

AGAINST THE JUDGMENT IN WP(C) 113/2014 of HIGH COURT OF KERALA
DATED 27.3.2014

APPELLANT/PETITIONER:

BRIDGIT MEGHA P.S.
D/O.SANTHOSH DAVID, RESIDING AT PADUVA VILLA
CHURCH ROAD, CHERUVIKKAL, SREEKARIYAM
THIRUVANANTHAPURAM 695 017

BY ADVS.SRI.GEORGE CHERIAN (SR.)
SMT.K.S.SANTHI
SMT.LATHA SUSAN CHERIAN

RESPONDENTS/RESPONDENTS:

1. THE COMMISSIONER OF ENTRANCE EXAMINATIONS
OFFICE OF THE CEE, HOUSING BOARD BUILDING, SANTHINAGAR
PIN 695 001
2. THE PRINCIPAL
GOVERNMENT LAW COLLEGE
THIRUVANANTHAPURAM PIN 695 033
3. UNIVERSITY OF KERALA
REPRESENTED BY THE REGISTRAR
OFFICE OF THE UNIVERSITY OF KERALA, PALAYAM
VIKAS BHAVAN P.O, THIRUVANANTHAPURM PIN 695 033
4. STATE OF KERALA
REPRESENTED BY THE SECRETARY
COLLEGIATE EDUCATION DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM PIN 695 001

R3 BY ADV. SRI.BECHU KURIAN THOMAS, SC, UTY OF KERALA
R BY GOVERNMENT PLEADER SRI.M.A.FAYAZ
R BY SRI.GEORGE POONTHOTTAM,SC,KERALA UTY.

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 29-10-2015,
ALONG WITH WA. 716/2014, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

ANTONY DOMINIC & P.V.ASHA, JJ.

W.A.Nos.624 & 716 of 2014

Dated this the 29th day of October, 2015

JUDGMENT

Antony Dominic, J.

1. These appeals are filed by the unsuccessful petitioners in W.P(C).113/14 and 114/14, who are aggrieved by the common judgment dated 27.3.2014 dismissing their writ petitions.
2. We heard the counsel for the appellants, learned Government Pleader and the standing counsel appearing for the Kerala University.
3. Appellants sought admission to three year LL.B. course in the Government Law College, Trivandrum during the academic year 2013-14. This was on the strength of the graduate degree obtained by them being Bachelor of Business Administration offered by the Madras University through its distance education programme. However, admission was denied to them on the basis that the degree obtained by them were not recognised by the Kerala University. According to the appellants, the degree was recognised by the M.G.University and since the prospectus only requires

recognition by any University in Kerala, they were eligible for admission. However, that contention was declined to be accepted by the learned single Judge despite the fact that pursuant to interim orders, the appellants were already admitted in the Law College and were undergoing the course. The writ petitions were dismissed by the impugned judgment. It is in this background, these appeals are filed. In the appeals, interim orders were obtained and as a result, the appellants are undergoing the LL.B. course.

4.Appellant in w.A.716/14 has filed IA.654/14 producing eligibility certificate dated 17.6.2014 issued to her by the Kerala University which reads thus:

"CERTIFIED that the B.B.A. Degree through Distance Mode of the University of Madras is recognized by the University of Kerala as an eligible qualification for the specific purpose of seeking admission to the three year LL.B. Programme of University of Kerala.

The recognition of the Degree/Examination does not preclude the eligibility conditions prescribed in the regulations for admission to higher studies or for employment."

5. Same certificate has been issued to the appellant in W.A.624/14, which is also produced along with I.A.736/14. Reading of the above, therefore, shows that the University has recognised the B.B.A. degree obtained by the appellants through distance mode from the University of Madras as an eligible qualification for seeking admission to the three year LL.B. in the Kerala University. This, therefore, means that the basis on which admission was declined to the appellants and which was upheld by the learned single Judge does not survive any more. Hence, in view of the above eligibility certificates, the admission granted to the appellants will be treated as regular and on that basis, they will be allowed to complete the course.

writ appeals are disposed of accordingly.

Sd/-
ANTONY DOMINIC, Judge.

Sd/-
P.V.ASHA, Judge.

k kb.