

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

WA. No.2568 of 2015 ()

**(AGAINST THE JUDGMENT IN WP(C) NO.26760/2015 OF HIGH COURT OF KERALA
DATED 06-10-2015.)**

APPELLANT(S)/PETITIONERS:

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- 1. N.C.P. STUDENTS ASSOCIATION,
DR.AKB MISSION SCHOOL OF NURSE/PHARMACY,
MEPPAYUR POST, KOZHIKODE - 673 524,
REPRESENTED BY SECRETARY SREEJITH R.M.**
 - 2. ANEES A.S, AGED 34 YEARS,
S/O. A.ABDUL SALAM, 'KADIJA MANZIL', ALISSERRY WARD,
ALAPPUZHA - 688 001.**

**BY ADVS.SRI.R.SUDHISH
SMT.M.MANJU**

RESPONDENT(S)/RESPONDENTS:

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- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY, HEALTH AND FAMILY WELFARE,
AYUSH DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
 - 2. THE PRINCIPAL AND CONTROLLING OFFICER,
GOVERNMENT HOMEOPATHIC MEDICAL COLLEGE,
THIRUVANANTHAPURAM - 695 001.**
 - 3. A.K.B MISSION TRUST SCHOOL OF NURSE/PHARMACY,
MEPPAYUR POST, KOZHIKODE - 673 524,
REPRESENTED BY ITS TRUSTEE.**

R1 BY SENIOR GOVERNMENT PLEADER SMT.GIRIJA GOPAL

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 02-12-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

KRJ

ASHOK BHUSHAN, C.J

&

A.M.SHAFFIQUE, J.

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W.A No.2568 of 2015

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Dated this the 2nd day of December, 2015

JUDGMENT

Ashok Bhushan, CJ

This writ appeal has been filed against the judgment dated 6.10.2015 in W.P(C) No.26760 of 2015. The writ petition was filed by an association of students studying for Nurse-cum-Pharmacy course in third respondent institution. Second petitioner was an ex-student of third respondent institution who has now appeared for supplementary examination. Petitioners in the writ petition had prayed for a direction to respondents 1 and 2 to conduct regular examination of Academic Year 2014-2015 and supplementary examination in the third respondent institution.

2. Third respondent institution is a self financing institution running the course. Under agreement with the Government and the third respondent, it was decided that examination will be conducted at Government Homeopathic Medical College in the

State and the centre will be selected by the Government. Now the petitioners have come up with the writ appeal seeking a direction that the examination be held at third respondent institution, from where so many students are appearing.

3. We are of the view that it is for the Government to select the centres as already been agreed between the Government and the third respondent. The petitioners had no right to pray that the examination will be conducted at a particular place or at third respondent institution. The learned single Judge did not commit any error in dismissing the writ petition. We do not find any error in the impugned judgment.

Writ appeal is dismissed.

Sd/-

**ASHOK BHUSHAN
CHIEF JUSTICE**

Sd/-

**A.M.SHAFFIQUE
JUDGE**

krj.2/12/15