

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 12TH DAY OF JANUARY 2015/22ND POUSHA, 1936

WP(C).No. 5416 of 2010 (B)

PETITIONER(S):

**THE DIRECTOR,
RAJAGIRI SCHOOL OF ENGINEERING AND TECHNOLOGY,
REJAGIRI VALLEY P.O., KOCHI-682 039.**

**BY SRI.KURIAN GEORGE KANNANTHANAM, SENIOR ADVOCATE.
ADV. SRI.TONY GEORGE KANNANTHANAM.**

RESPONDENT(S):

- 1. THE M.G. UNIVERSITY,
REPRESENTED BY ITS REGISTRAR,
PRIYADARSHINI HILLS, KOTTAYAM.**
- 2. STATE OF KERALA,
REPRESENTED BY ITS PRINCIPLE SECRETARY,
HIGHER EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.**
- 3. THE PRINCIPAL SECRETARY,
HIGHER EDUCATION DEPARTMENT, GOVT. OF KERALA,
SECRETARIAT, THIRUVANANTHAPURAM.**

**R1 BY ADV. SRI.VARUGHESE M.EASO, SC.
R2 & R3 BY GOVT. PLEADER SRI.T.J. MICHAEL.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 12-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

J U D G M E N T

Infructuous. Dismissed.

12/01/2015.

SD/- K.VINOD CHANDRAN, JUDGE

//TRUE COPY//

P.A TO JUDGE

rs.

SIRI JAGAN, J

W.P.C. NO. 5416 of 2010

Dated this the 25th January 2012

ORDER

This Writ Petition is posted for defects today. The defect is that notice to the 3rd respondent has not been returned after service. The defect was notified, but petitioner did not cure the same. Therefore, the matter was posted before the Registrar (Judicial) on 9.01.2012. On that day the Registrar (Judicial) passed the following order.

“ Learned Govt. Pleader submits that if copy of W.P.C is served on Government Pleader for R3, memo of appearance can be arranged to be filed for R3.

Petitioner, on representation, is granted one week's time to take steps as above and to file memo to that effect. If steps are not taken before 18/01/2012, post before Honourable Court.”

Since the petitioner did not cure the defect even by 18.1.2012, the matter has been placed before this court today. When the matter was taken up, the counsel for the petitioner submits that notice has been served on the Govt. pleader today. That is beyond the time prescribed by the Registrar (Judicial). In the above circumstances, I am not inclined to condone the delay in curing the defect except on terms. Accordingly, the delay in curing the defects is condoned on condition that the petitioner pays Rs. 500/- (Rupees Five Hundred Only) as costs to the Kerala State Mediation and Conciliation Centre and produces proof thereof within one week, failing which the writ petition would stand dismissed for non-prosecution.

ns

Sd/-
SIRI JAGAN, JUDGE

/ True Copy /

P.A to judge

