

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936

WP(C).No. 5116 of 2014 (L)

PETITIONER(S):

- 1. CHRIST COLLEGE, IRINJALAKUDA
REPRESENTED BY ITS MANAGER,
IRINJALAKUDA P.O-680 125**
 - 2. PRINCIPAL,
CHRIST COLLEGE, IRINJALAKUDA-680 125**
- BY ADVS.SRI.BABY ISSAC ILLICKAL
SRI.ISAAC KURUVILLA ILLIKAL**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM -695 001**
- 2. PRINCIPAL SECRETARY,
HIGHER EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM- 695 001**
- 3. DIRECTOR OF COLLEGIATE EDUCATION,
VIKAS BHAVAN, THIRUVANANTHAPURAM - 695 033.**
- 4. DEPUTY DIRECTOR OF COLLEGIATE EDUCATION,
PALACE ROAD, THRISSUR-680 741**
- 5. UNIVERSITY OF CALICUT,
REPRESENTED BY ITS REGISTRAR,
CALICUT UNIVERSITY P.O.-673 635**

**R1 TO R4 BY SR GOVERNMENT PLEADER SMT. SUNITHA VINOD
R5 BY ADV. SRI.SANTHOSH MATHEW,SC,CALICUTY UNIVERSITY**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 19-03-2015, ALONG WITH WPC.NO. 33886/2014 AND WPC.NO. 185/2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

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APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 - PHOTOCOPY OF THE WORKLOAD OF TEACHERS FOR
MSC.ENVIRONMENTAL SCIENCE APPROVED BY THE 5TH
RESPONDENT DT. 24-8-2000
- EXT.P2 PHOTOCOPY OF THE WORKLOAD OF TEACHERS
MSC.ENVIRONMENTAL SCIENCE (FINAL) DT. 15-5-2001
- EXT.P3- PHOTOCOPY OF THE ORDER OF THE 5TH RESPONDENT DT.
19-07-2005
- EXT.P4 - PHOTOCOPY OF THE ORDER OF THE 1ST RESPONDENT DT. 20-8-2010
- EXT.P5 - PHOTOCOPY OF THE REVISED WORKLOAD STATEMENT DT.
24-03-2011
- EXT.P6 - PHOTOCOPY OF THE WORKLOAD AND PATTERN OF STAFF
STATEMENT ISSUED BY THE 5TH RESPONDENT DT. NIL
- EXT.P7 - PHOTOCOPY OF THE LETTER OF THE 2ND RESPONDENT DT.
15-11-2010
- EXT.P8 - PHOTOCOPY OF THE LETTER OF THE 2ND PETITIONER TO THE 5TH
RESPONDENT DT. 16-5-2011.
- EXT.P9 - PHOTOCOPY OF THE LETTER OF THE 5TH RESPONDENT DT. 20-7-2011
- EXT.P10 - PHOTOCOPY OF THE LETTER TO THE 3RD RESPONDENT DT.
12-3-2013
- EXT.P10(A)- ENGLISH TRANSLATION OF EXHIBIT P10.
- EXT.P11- PHOTOCOPY OF THE LETTER OF THE 2ND PETITIONER TO THE 2ND
RESPONDENT DT. 1-7-2013
- EXT.P11(A)- ENGLISH TRANSLATION OF EXHIBIT P11
- EXT.P12 - PHOTOCOPY OF THE MINUTES OF THE MEETING OF THE BOARD OF
STUDIES, 5TH RESPONDENT DT. 12-7-2013
- EXT.P13 - PHOTOCOPY OF THE LETTER OF THE 5TH RESPONDENT DT. 29-8-2013
- EXT.P14 - PHOTOCOPY OF THE REPLY SUBMITTED BY THE 2ND RESPONDENT
DT. 19-9-2013
- EXT.P15 - PHOTOCOPY OF THE LETTER OF THE 2ND PETITIONER TO THE 2ND
RESPONDENT DT. 22-10-2013
- EXT.P16 - PHOTOCOPY OF THE ADVERTISEMENT IN HINDU NEWSPAPER DT.
15-5-2013

WP(C).NO.5116/2014

- EXT.P17 - PHOTOCOPY OF THE LETTER OF THE 2ND PETITIONER TO THE 2ND
RESPONDENT DT. 1-7-2013
- EXT.P17(A)- ENGLISH TRANSLATION OF EXHIBIT P17
- EXT.P18 - PHOTOCOPY OF THE LETTER OF THE 2ND PETITIONER TO THE 3RD
RESPONDENT DT. 1-11-2013
- EXT.P18(A)- ENGLISH TRANSLATION OF EXHIBIT P18
- EXT.P19 - PHOTOCOPY OF THE WORKLOAD STATEMENT IN DEPT. OF BOTANY &
ENVIRONMENTAL SCIENCE DT. 11-11-2013
- EXT.P20 - PHOTOCOPY OF THE LETTER OF THE 2ND PETITIONER TO THE 5TH
RESPONDENT DT. 27-01-2014.
- EXT.P21 - PHOTOCOPY OF THE ORDER OF THE 2ND RESPONDENT DT.
17-6-2013.
- EXT.P22 - PHOTOCOPY OF THE GOVERNMENT ORDER DT. 18-1-2012
- EXT.P23- TRUE COPY OF THE ORDER DATED 10/3/2014 IN WP(C).
NO.5116/2014 (L)
- EXT.P24- TRUE COPY OF THE MINUTES OF THE MEETING OF THE SELECTION
COMMITTEE DATED 28/03/2014.

RESPONDENT(S)' EXHIBITS

- EXT.R3(A)- COPY OF THE GOVT ORDER DATED 26/09/2014
- EXT.R4(A)- COPY OF THE G.O.(MS).NO.260/2010/H.EDN DATED 20/08/2010
- EXT.R4(B)- COPY OF THE REPORT FORWARDED TO THE DIRECTOR OF
COLLEGIATE EDUCATION VIDE LETTER NO.A3-1463/2013 DATED
11/03/2014

/TRUE COPY/

P.A.TO.JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) Nos.5116 & 33886/2014 & 185/2015

Dated this the 19th day of March, 2015

JUDGMENT

W.P.(C) No.33886/2014 is filed by the Christ College, Irinjalakuda, an aided College affiliated with Calicut University. They approached this Court in this case seeking a direction to respondents to allow the petitioners to appoint duly qualified teachers to teach M.Sc. Environmental Science.

2. W.P.(C) No.5116/2014 is also filed by the same College for the same benefit for deputing the Government nominee for selection process.

3. W.P.(C) No.185/2015 is filed by the selected candidates for the post of Assistant Professors in M.Sc Environmental Science. These writ petitions are relating to a common issue and therefore, are being disposed of by a common judgment.

4. This Court by interim order dated 19.1.2015 passed the following orders:

- i). There shall be a direction to the University to assess workload in respect of Assistant Professors in B.Sc applied Physics in W.P.(C) No.30893 of 2014 in the 5th respondent, Carmel College, Mala to which petitioners therein have been appointed.
- ii). There shall be a direction to the University to assess workload in respect of Assistant Professors in M.Sc. Environmental Science in W.P.(C) Nos.33886 and 5116 of 2014 and 185 of 2015 in the Christ College, Irinjalakkuda.
- iii). It is also made clear that the workload shall be assessed based on the existing statutory norms.

5. Thereafter based on the direction, a workload of the College has been assessed. The University has filed a statement and also produced the workload assessment as Ext.R5(1) in W.P.(C) No.33886/2014. The total workload of Environmental Science is calculated at 66 hours a week.

In view of the matter, the assessment of the workload as above, the Manager in W.P.(C) No.33886/2014 shall forward the proposal of appointing three teachers in the Environmental Science to the University within one month. Thereupon, the University shall take a decision on approval within a period of two months.

These writ petitions are disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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