

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

WP(C).No. 8322 of 2013 (M)

PETITIONER:

P.K.JAYASREE AGED 44 YEARS
SREE RAGAM HOUSE, KODALAPPAD VIA, KOOVAPPADY
ERNAKULAM-683544.

BY ADVS.SRI.RENI ANTO KANDAMKULATHY
SRI.N.K.SUBRAMANIAN

RESPONDENTS:

1. SREE SANKARACHARYA UNIVERSITY OF SANSKRIT
KALADY, SREE SANKARAPURAM, KALADY
ERNAKULAM DISTRICT PIN-683574. REPRESENTED BY ITS REGISTRAR.

2. DR. K.S. RADHAKRISHNAN
FORMERLY VICE CHANCELLOR
SREE SANKARACHARYA UNIVERSITY OF SANSKRIT KALADY
RESIDING AT KALLUMADATHIL HOUSE, SOUTH CHITTOOR.P.O.
KOCHI-682027.

3. P.J. JOY,
EX-MLA, PUTHUSSERIL HOUSE, ANGAMALY.P.O.
ERNAKULAM DISTRICT.

4. DR. S. PREMJIITH,
FORMERLY REGISTRAR
SREE SANKARACHARYA UNIVERSITY OF SANSKRIT KALADY
SREE VIHAR, ARUMANA DESOM, VILAVAMKODU TALUK
KANYAKUMARI, TAMIL NADU-629152.

5. JAYAPRAKASH NAIR,
REG. NO. 3813, CLASS IV EMPLOYEE
SREE SANKARACHARYA UNIVERSITY OF SANSKRIT, KALADY
SREE SANKARAPURAM, KALADY, ERNAKULAM DISTRICT
PIN-683574.

6. BINDUKUMARY.V.
REG. NO. 2297, CLASS IV EMPLOYEE
SREE SANKARACHARYA UNIVERSITY OF SANSKRIT, KALADY
SREE SANKARAPURAM, KALADY, ERNAKULAM DISTRICT
PIN-683574.

7. RAVISH.G.S.
REG. NO. 5994, CLASS IV EMPLOYEE
SREE SANKARACHARYA UNIVERSITY OF SANSKRIT, KALADY
SREE SANKARAPURAM, KALADY, ERNAKULAM DISTRICT, PIN-683574.

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8. JUSNA.M.

REG. NO. 4053, CLASS IV EMPLOYEE

SREE SANKARACHARYA UNIVERSITY OF SANSKRIT, KALADY

SREE SANKARAPURAM, KALADY, ERNAKULAM DISTRICT

PIN-683574.

9. REGIYAN.J.

REG. NO. 6018, CLASS IV EMPLOYEE

SREE SANKARACHARYA UNIVERSITY OF SANSKRIT, KALADY

SREE SANKARAPURAM, KALADY, ERNAKULAM DISTRICT

PIN-683574.

10. STATE OF KERALA,

REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY

DEPARTMENT OF HIGHER EDUCATION, GOVT. OF KERALA

GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.

11. SECRETARY TO GOVERNMENT

HOME DEPARTMENT, GOVT. OF KERALA, GOVERNMENT

SECRETARIAT, THIRUVANANTHAPURAM-695001.

SMT.LILLY LESLIE, GOVERNMENT PLEADER.

R1 BY ADV. SRI.ARUN B.VARGHESE,SC, SREE SANKARACHARYA UTY.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
08-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

RKC

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT.P1 TRUE COPY OF NOTN. NO. R.CELL/NT/CLASS IV/SSUS 2005 DT. 30-5-05.

EXHIBIT.P2 TRUE COPY OF THE APPLICATION DATED 21.06.2005.

EXHIBIT.P3 TRUE COPY OF ORDER NO. R CELL/NT/CLASS IV/1/SSUS/05 DT. 2-7-05.

EXHIBIT.P4 TRUE COPY OF MINUTES OF MEETING DATED 2-7-2005.

EXHIBIT.P5 TRUE COPY OF MINUTES OF MEETING OF SUB COMMITTEE DT. 22-8-05.

EXHIBIT.P6 TRUE COPY OF ORDER NO. R CELL/NT/CLASS IV/BE/SSUS/05 DT. 13-9-05.

EXHIBIT.P7 TRUE COPY OF ORDER NO. R CELL/NT/CLASS IV/SSUS/05 DT. 13-9-05.

EXHIBIT.P8 TRUE COPY OF ANSWER SHEET OF REG. NO. 3833 DATED 20-9-05.

EXHIBIT.P9 TRUE COPY OF MINUTES OF THE MEETING OF THE ELECTION COMMITTEE.

EXHIBIT.P10 TRUE COPY OF CONSOLIDATED MARK LIST OF READING AND WRITING TEST.

EXHIBIT.P11 TRUE COPY OF LIST PREPARED BY SELECTION COMMITTEE DT. 1-2-06.

EXHIBIT.P12 TRUE COPY OF MINUTES DATED 1-2-06 OF R1.

EXHIBIT.P13 TRUE COPY OF RANK LIST DATED 1-2-2006 ISSUED BY R1.

EXHIBIT.P14 TRUE COPY OF ANSWER SHEET OF THE 7TH RESPONDENT.

EXHIBIT.P15 TRUE COPY OF APPLICATION AND ANSWER SHEET OF THE 9TH RESPONDENT.

EXHIBIT.P16 TRUE COPY OF THE ANSWER SHEET OF THE 8TH RESPONDENT.

1ST RESPONDENT'S EXHIBITS

R1(A): COPY OF THE AFFIDAVIT DT.31.1.06 SUBMITTED BY THE PETITIONER BEFORE THE UNIVERSITY

R1(B): COPY OF THE COMMON JUDGMENT DT.24.3.06 IN WPC NO.3607/06

R1(C): COPY OF THE JUDGMENT DT.26.7.07 IN WA NO.1117/07, WA.1314/07 AND WA NO.1660/07

R1(D): COPY OF THE LETTER NO.E7(VE5/2007 EKM) 9185/2007 DATED 11.7.07

R1(E): COPY OF THE REPRESENTATION SUBMITTED BY THE SANSKRIT UNIVERSITY STAFF ASSOCIATION BEFORE THE 1ST RESPONDENT.

RKC

TRUE COPY

PA TO JUDGE

P.V.ASHA, J.

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Dated this the 8th day of October, 2015

JUDGMENT

The petitioner has filed this writ petition challenging the selection and appointments made to the post of integrated class IV in the first respondent University on the basis of Ext.P1 notification. It is seen that the writ petition is not admitted so far. The University has filed a statement.

2. I heard the learned counsel appearing for the petitioner and the learned Standing Counsel for the 1st respondent University. Ext.P1 notification inviting applications for posts in integrated class IV was published on 30.5.2005. Petitioner submitted Ext.P2 application indicating her qualification as SSLC. In view of the large number of applicants, the University decided to eliminate the applicants who passed plus two and above examinations. The writing and reading test was conducted in September and October 2005 and interview was conducted in January and February 2006. Ext.P13 rank list was published on 1.2.2006. Producing the detailed marklist, petitioner claims

appointment, on the basis of the marks secured by her. She filed this writ petition on 22.3.2013. According to her, respondents 5 to 11, who secured marks lesser than her are already appointed.

3. There is no challenge against the rank list and there is no proper explanation for the delay in challenging the selection process and appointment, except for the statement that she belongs to a very poor family. Apart from that the University has filed a counter affidavit pointing out that only those persons who did not have qualification above SSLC were considered for appointment and they recommended to the post. It is stated that in view of the enormous number of applicants for the post, the University took a decision to eliminate the over qualified candidates. It is stated that the petitioner passed Pre-Degree and had joined B.A.Degree course in the University itself. The Counsel for the petitioner submits that the reasons for excluding her are found out subsequent to the filing of the writ petition.

In any view of the matter, the petitioner has not chosen to file any reply affidavit controverting the statement of the University, filed on 20.5.2013, so far. The writ petition is not

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admitted and notice is not issued to the selected candidates even after more than 9 years of their appointment. In the above circumstances, I do not find any ground to interfere with the selection process or appointment. The writ petition is dismissed.

Sd/-
P.V.ASHA,
JUDGE.

rkc