

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 24TH DAY OF FEBRUARY 2015/5TH PHALGUNA, 1936

WP(C).No. 10208 of 2010 (A)

PETITIONER :

**RENJITH JOSEPH MATHEW,
S/O. V.V.MATHEW, AGED 29 YEARS,
VETTUPARABIL HOUSE, MUTTAR P.O.,
ALLEPPEY-689 574.**

BY ADV. SRI.V.B.HARI NARAYANAN

RESPONDENT(S):

- 1. MAHATMA GANDHI UNIVERSITY,
PRIYADARSINI HILLS, ATHIRAMPUZHA,
KOTTAYAM. REP. BY ITS REGISTRAR.**
- 2. CONTROLLER OF EXAMINATION,
MAHATMA GANDHI UNIVERSITY, KOTTAYAM.**
- 3. THE PRINCIPAL, ST. ALBERTS COLLEGE,
ERNAKULAM-682 018.**

**R1 & R2 BY STANDING COUNSEL SRI.VARUGHESE M.EASO
R3 BY ADV. SRI.P.GEORGE WILLIAM**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 24-02-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

WP(C).NO.10208/2010

APPENDIX

PETITIONER'S EXHIBITS:

- | | |
|---------------|---|
| EXT.P1 | COPY OF THE DEGREE CERTIFICATE. |
| EXT.P2 | COPY OF THE DEGREE CERTIFICATE IN INFORMATION TECHNOLOGY (MIT) AT MANIPAL ACADEMY OF HIGHER EDUCATION. |
| EXT.P3 | COPY OF THE CONSOLIDATED STATEMENT OF MARKS FOR THE MIT EXAMINATION. |
| EXT.P4 | COPY OF THE RECEIPTS EVIDENCING PAYMENT OF SEMESTER FEES AND ADVANCE. |
| EXT.P5 | COPY OF THE LETTER DATED 23/3/2010. |
| EXT.P6 | COPY OF THE MEMO DATED 18/3/2010. |
| EXT.P7 | COPY OF THE REQUEST DATED 24/3/2010. |

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.S.TO.JUDGE

sts

K. Vinod Chandran, J.

W.P(C) No.10208 of 2010-A

Dated this the 24th day of February, 2015

JUDGMENT

The petitioner's admission to the MBA course under the respondent-University was directed to be rejected, since he did not possess the minimum qualification for seeking such admission. Exhibit P6 memo of the University, issued in this regard to the 3rd respondent-College, is challenged in the above writ petition.

2. Even going by the admitted statements in the writ petition, the petitioner had a Bachelors Degree in Commerce with 47% marks and a Master of Information Technology Degree, obtained from the Manipal Academy of Higher Education. The petitioner, even going by the averments in the writ petition, was aware of the fact that any student seeking for admission for MBA course should have a minimum aggregate of 50% marks for the graduate degree, which he lacked. The petitioner's claim is based on the degree obtained from the Manipal University.

3. The learned Standing Counsel for the University submits that the minimum eligibility for admission to the MBA course under the respondent-University is a pass in any Bachelor degree examination of the M.G. University or an equivalent degree of any other university duly recognised by the M.G.University with not less than 50% marks on the average in the aggregate or in a Master's Degree examination. The petitioner does not possess the qualifying marks as per the Bachelor's Degree obtained by him. With respect to the alleged Master's Degree, the same is not one recognised by the respondent-University.

Since the eligibility conditions specifically require qualification in an equivalent degree of any other University, the petitioner cannot have any claim for continuance. The petitioner's admission is found to be irregular and the writ petition is dismissed.

Sd/-
K. Vinod Chandran,
Judge

vku/

[true copy]