

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

W.P.(C).No.7880 of 2015 (H)

PETITIONER(S):-

ANOOP.P.V., AGED 26 YEARS, S/O LATE CHINDAN,
KAITHAPRAM, MATHAMANGALAM
P.O., KANNUR DISTRICT.

BY ADV. SRI.T.V.JAYAKUMAR NAMBOODIRI.

RESPONDENT(S):-

1. CENTRAL UNIVERSITY OF KERALA,
REPRESENTED BY ITS REGISTRAR, PADANNAKAD P.O.,
KASARGOD, 671314.
2. VICE CHANCELLOR,
CENTRAL UNIVERSITY OF KERALA, PADANNAKAD P.O.,
KASARGOD, 671314.

R1 & R2 BY STANDING COUNSEL SRI.V.SAJITH KUMAR.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
09-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No.7880 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS:-

EXHIBIT P1: TRUE COPY OF THE CERTIFICATE DATED 15.7.2014.
EXHIBIT P2: TRUE COPY OF THE GRADE CARD.
EXHIBIT P3: TRUE COPY OF THE LETTER DATED 24.4.2014.
EXHIBIT P4: TRUE COPY OF THE LETTER 28.4.2014.
EXHIBIT P5: REQUEST OF THE PETITIONER DATED 3.2.2015.
EXHIBIT P6: THE REPORT IN KERALA KOUMUDI DATED 13.5.2014.

RESPONDENT(S)' EXHIBITS:-

EXHIBIT R1(a) TRUE COPY OF THE LETTER NO.CUK/IR/Ph.D/2015/02/285
DATED 09.03.2015 ISSUED BY THE HEAD OF THE
DEPARTMENT OF INTERNATIONAL RELATIONS.

Vku/-

[true copy]

K.Vinod Chandran, J.

W.P.(C).No.7880 of 2015-H

Dated this the 09th day of April, 2015

JUDGMENT

The petitioner is aggrieved with the alleged denial of admission to the Ph.D course in the academic year 2014-15.

2. The brief facts to be noticed are that the petitioner was a student of the M.Phil programme in International Relations under the respondent-University in the course which commenced in 2012. Admittedly eight students were enrolled in the M.Phil course, which had the duration between 2012 and 2014. The course in which the petitioner continued and qualified was the last batch, since, from the academic year 2014-15 onwards the University had brought in an 'Integrated M.Phil/Ph.D Course'.

3. In such circumstance, in order to accommodate those who have completed the last batch of the M.Phil course, The Vice-Chancellor, on the recommendation of the Head of the Department, permitted those last batch students of the M.Phil course to be admitted to the Ph.D course.

4. The petitioner's contention is that four students in his batch were admitted and they were continued in the Ph.D course, while such admission was declined to the petitioner, which, it is alleged, is only on the nepotism displayed by the Head of the Department.

5. The learned Standing Counsel for the University, however, contends that Exhibit P4 was a relaxation granted, so as to accommodate M.Phil students to Ph.D course, since the University had discontinued the independent M.Phil and Ph.D course and brought in 'Integrated M.Phil/Ph.D Course'. The admission to the Ph.D course for the academic year 2014-15 was only intended as a concession and only those students who had completed the last batch of M.Phil course and submitted Thesis, were permitted to join the Ph.D course in the academic year 2014-15. The petitioner, according to the University, submitted the Thesis of the of the M.Phil course only in July, 2014. It is, hence, the petitioner has been declined registration for the Ph.D course in 2014-15, is the specific contention raised.

6. It is also contended that there was dearth of Guides in the respondent-University and, hence, the petitioner was offered

admission in a Ph.D programme continued at KILA at its campus at Thrissur, which course was also affiliated to the University. However, the petitioner refused to accept it, since the Ph.D carried on at the said campus at Thrissur was in Local Administration and the petitioner was desirous of carrying on research in International Studies.

7. In any event, it is to be noticed that the petitioner was issued with a notice for admission to the Ph.D programme in the campus at KILA by Exhibit R1(a). The petitioner though did not appear for the interview, filed a representation seeking reservation of one seat, since the writ petition was pending. The learned Standing Counsel for the University submits, fairly, that the said seat has been kept vacant.

8. With respect to the contention raised by the petitioner, definitely no admission can be made to the year 2014-15, since the said academic year is now over and the petitioner has chosen to come to this Court only in March, 2015. Hence, the submission with respect to nepotism and admission of only four students in the academic year 2014-15 need not be considered at this point of time. However, the specific contention of the University with respect

to the academic year 2015-16 is that, there is dearth of Guides in the University, since the teachers available have been already deputed to the 'Integrated M.Phil/Ph.D Course'.

9. As was noticed above, it is also evident that one seat in KILA at Thrissur campus is set apart for the petitioner. In such circumstance, the petitioner, if desirous of getting himself admitted to the one vacant seat, could approach the University within a period of one month from the date of receipt of a certified copy of this judgment and in that event the request shall be considered by the University, if the petitioner is otherwise qualified for the same.

The writ petition, hence, would stand disposed of with the above direction.

Sd/-
K.Vinod Chandran,
Judge

vku.

[true copy]