

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

WP(C).No. 10960 of 2013 (T)

PETITIONER(S):

1. JABIR AMBALANCHERY, AGED 24 YEARS,
S/O AHMED.A, AMBALANCHERY-HOUSE,
AKAPPARAMBA-POST,
MALAPPURAM DISTRICT, PIN-673641.
2. MOHAMMED RASHEED.V, AGED 26 YEARS,
S/O.MOKARI, VELLINGAL-HOUSE, EDAYOOR NORTH,
VALANCHERY-POST, MALAPPURAM DISTRICT.
3. JAYAFAR SADIQ.A, AGED 24 YEARS,
S/O.MOHAMMED.A, CHEMBAYACODE-HOUSE,
KARAKKUNNU-POST, KADALAPPATTA,
MALAPPURAM DISTRICT.
4. RESHMA RAJEEV.E.V, AGED 20 YEARS,
D/O.RAJEEV.V, MAYOORAM-HOUSE, ARUKIZHAZHA,
MANJERI-POST, MALAPPURAM DISTRICT.
5. MUHAMMED SABITH.P, AGED 23 YEARS,
S/O.ABDUL QUADER.P, PARAYARUMMARATH-HOUSE,
MUTTANCHERY-POST, KOZHIKODE DIST-673585.
6. MOHAMOOD RAF, AGED 23 YEARS,
S/O.AHAMMED KUTTY MUSLIYAR,
MANCHERICHALIL-HOUSE, KUZHIMANNA-POST,
KONDOTTY-VIA, MALAPPURAM DIST-673641.
7. ABIDA.T, AGED 22 YEARS, D/O.ABBAS.A.K,
THATANCHERI-HOUSE, UNNIKKULAM-POST,
KOZHIKODE DIST.
8. SHABANA.K.K, AGED 27 YEARS,
D/O.BASHEER.K.K, VAYALUMKANDI HOUSE,
NANMINDA-POST, KOZHIKODE-673613.
9. ANJANA RAVEENDRAN.T.P, AGED 20 YEARS,
D/O.RAVEENDRAN.T.P, THALAPPOYYIL,
GOPALAYAM HOUSE, KARIYATHANKAVU-POST,
BALUSSERY, KOZHIKODE-673612.

**BY ADVS.SRI.P.K.MOHAMED JAMEEL
SRI.ABDUL SHUKOOR MUNDAMBRA**

WP(C).No. 10960 of 2013 (T)

RESPONDENT(S):

1. UNIVERSITY OF CALICUT,
THENHIPPALAM-MALAPPURAM DISTRICT,
REPRESENTED BY ITS REGISTRAR - 693 025.
2. CONTROLLER OF EXAMINATIONS,
UNIVERSITY OF CALICUT,
THENHIPPALAM-MALAPPURAM DISTRICT - 693 025.
3. NATIONAL COUNCIL FOR TEACHER EDUCATION,
SOUTHERN REGIONAL COMMITTEE, IST FLOOR,
CSD BUILDING, HMT POST, BANGALORE-560 031,
REPRESENTED BY ITS DIRECTOR.
4. MAJMAA TRAINING COLLEGE,
KAVANOR.P.O, MALAPPURAM DISTRICT-673369,
REPRESENTED BY ITS PRINCIPAL.
5. ORIENTAL COLLEGE OF TEACHER EDUCATION,
POONATH.P.O, NADUVANNUR VIA,
KOZHIKODE DISTRICT - 673 134,
REPRESENTED BY ITS PRINCIPAL.
6. DIRECTOR OF COLLEGIATE EDUCATION,
THIRUVANANTHAPURAM-695033.

R1 & R2 BY SRI.SANTHOSH MATHEW,SC,
R3 BY SRI.V.M.KURIAN, SC
R6 BY GOVERNMENT PLEADER SMT.ANITHA RAVINDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 08-07-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

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APPENDIX

PETITIONER(S)' EXHIBITS:

EXHIBIT-P1 : PHOTOCOPY OF THE NORMS AND STANDARDS FOR BACHELOR'S OF EDUCATION PROGRAM ISSUED BY 3RD RESPONDENT.

EXHIBIT-P2 : PHOTOCOPY OF RELEVANT PAGES OF PROSPECTUS FOR B.ED ADMISSION -2011.

EXHIBIT-P3 : PHOTOCOPY OF ORDER NO.32118/B4/11/H.ED. DATED 04.09.2012.

EXHIBIT-P4 : PHOTOCOPY OF RELEVANT PAGES OF THE PROSPECTUS FOR B.ED ADMISSION 2012.

EXHIBIT-P5 : PHOTOCOPY OF THE INTERIM ORDER IN WP(C)27935/2012.

EXHIBIT-P6 : PHOTOCOPY OF THE INTERIM ORDER IN WP(C)2277/2013.

EXHIBIT-P7 : PHOTOCOPY OF THE INTERIM ORDER IN WP(C)30788/2012.

EXHIBIT-P8 : PHOTOCOPY OF THE INTERIM ORDER IN WP(C)28660/2012.

EXHIBIT-P9 : PHOTOCOPY OF THE INTERIM ORDER IN WP(C)9328/2013.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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A.V.RAMAKRISHNA PILLAI, J.

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W.P.(C) No.10960 of 2013
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Dated this the 8th day of July, 2015

JUDGMENT

The petitioners have approached this Court seeking a direction to the 2nd respondent to permit the petitioners to appear for the B.Ed examination scheduled to be held in April 2013. Petitioners main grievance is against the minimum eligibility criteria fixed in Ext.P4 prospectus for B.Ed admission.

2. When the matter came up for admission on 12.04.2013, this Court had by an interim order directed the 2nd respondent to provisionally admit the petitioner for B.Ed examination scheduled to be held in April 2013. However, it was made clear that the same would be subject to the final outcome of the petition.

3. Heard both sides.

4. Today, when the matter came up for hearing, the learned standing counsel for the respondent University submitted

that W.P.(C) No.26643 of 2013 along with a batch of writ petitions which arose out of the same issue, were dismissed by this Court, which was upheld by a Division Bench of this Court in W.A No.78 of 2014 where it was observed that, *so far as the Self Financing Colleges are concerned, admission should be based on the eligibility criteria fixed by the Government in exercise of its powers under Section 68A of the Calicut University Act and therefore, if the Government have validly prescribed the eligibility criteria, even if the same is at variance with students studying elsewhere, that will not render the eligibility prescribed illegal.*

In the light of the above, this Court is of the view that there is nothing in the writ petition to interfere with the eligibility criteria made mention of Ext.P4 prospectus for B.Ed. Accordingly, this writ petition fails and it is dismissed.

Sd/-

A.V.RAMAKRISHNA PILLAI, JUDGE