

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

WP(C).No. 8473 of 2015 (H)

PETITIONER(S):

KEERTHANA.T.S, AGED 19 YEARS,
D/O.SURENDRAN, THANDIAKAL HOUSE, CHERUVATHERY,
CHEVOOR P.O., PIN-680 027.

BY ADV. SRI.V.C.MADHAVANKUTTY

RESPONDENT(S) :

1. SREE ERNAKULATHAPPAN COLLEGE OF ENGINEERING AND
MANAGEMENT, INCHAKUNDU P.O, MUPLIYAM VILLAGE,
THRISSUR, PIN- 680 312, REPRESENTED BY PRINCIPAL
2. CALICUT UNIVERSITY,
P.O.THENJIPALAM, REPRESENTED BY REGISTRAR - 679 001.

* ADDITIONAL R3 IMPEADED

3. THE DIRECTOR,
DIRECTORATE OF TECHNICAL EDUCATION,
THIRUVANANTHAPURAM- 695 001.

* ADDITIONAL R3 IS IMPEADED AS PER ORDER DATED 08.04.2015 IN
I.A.NO.5174 OF 2015.

R1 BY ADV. SRI.P.RAHUL
R2 BY ADV. SRI.SANTHOSH MATHEW, S.C.
R3 BY GOVERNMENT PLEADER SRI.MANOJ KUJACHAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 08-04-2015, ALONG WITH W.P.(C).NO.8529 OF 2015, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:

Msd.

WP(C).No. 8473 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: TRUE COPY OF THE ACADEMIC FEES RECEIPT DATED 31/07/2014
FOR AN AMOUNT OF RUPEES 27500/- ISSUED FROM
THE 1ST RESPONDENT COLLEGE.**

**EXT.P2: TRUE COPY OF THE APPLICATION FILED BEFORE THE PRINCIPAL
OF THE 1ST RESPONDENT COLLEGE DATED 20/02/2015.**

**EXT.P3: TRUE COPY OF THE REPLY ISSUED BY THE FIRST RESPONDENT
IN THE NAME OF THE PETITIONER'S MOTHER DATED 25/02/2015.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K.VINOD CHANDRAN, J

W.P.(C).Nos. 8473 & 8529 of 2015

Dated 8th April, 2015

JUDGMENT

The petitioners in the above writ petitions are persons who have obtained admission under the Management quota in the 1st respondent College in two different branches of Graduate courses of Engineering. The petitioners seek inter-branch-transfer.

2. The petitioner in W.P.(C).8473 of 2015 is now studying "Computer Science" Engineering and wants a shift to the branch of "Electrical and Electronics" Engineering. The petitioner in W.P.(C).8529 of 2015 is willing to move to the branch of "Computer Science" Engineering; thus conceding his seat in the "Electrical and Electronics" branch to the other petitioner. It is to be noticed that the Management of the 1st respondent has rejected the transfer by Ext.P3.

The petitioner seeks to challenge the same under Article 226 of the Constitution of India.

3. It is to be immediately noticed that the 1st respondent is not a 'State' coming under the definition of Article 12 of the Constitution of India and no writ would issue against the 1st respondent.

4. The learned Standing Counsel appearing the Calicut University submits that the University has no role in the matter to play since the admissions are made as per the prospectus issued by the additional 3rd respondent, the Director of Technical Education.

5. In any event, the petitioners having obtained seats in the Management quota in the 1st respondent College, will have to concede to the orders passed by the 1st respondent in the event

of there being no Regulation permitting such transfer.

The writ petitions would stand dismissed.

Sd/-

K.VINOD CHANDRAN
Judge

Mrcs

//True Copy//