

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 27TH DAY OF FEBRUARY 2015/8TH PHALGUNA, 1936

WP(C).No. 10518 of 2014 (L)

PETITIONER :

**VEENA ANU JACOB,
D/O. JACOB C.L., CHIRACKAL HOUSE, SUN VILLAGE,
PARASSINIKKADAVU P.O., KANNUR DISTRICT-670 563.**

**BY ADVS.SRI.MURALI PALLATH
SRI.MAHESH V RAMAKRISHNAN**

RESPONDENT(S):

- 1. THE REGISTRAR, KANNUR UNIVERSITY,
CIVIL STATION P.O., THAVAKKARA,
KANNUR DISTRICT-670 002.**
- 2. THE COURSE DIRECTOR,
DEPARTMENT OF MASS COMMUNICATION & JOURNALISM,
TALAP VAYAL, KANNUR DISTRICT-670 004.**

R1 BY SRI.V.A.MUHAMMED, SC, KANNUR UNIVERSITY

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 27-02-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

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WP(C).No. 10518 of 2014 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : COPY OF STATEMENT OF MARKS AND PROVISIONAL CERTIFICATE.**
- P2 : COPY OF THE PETITIONER'S APPLICATION DTD. 10.2.2014.**
- P3 : COPY OF REPLY DTD. 11.2.2014 ISSUED BY THE DIRECTORATE OF MADURAI KAMARAJ UNIVERSITY.**
- P4 : COPY OF APPLICATION DTD. 20.2.2014 SUBMITTED BY THE PETITIONER.**
- P5 : COPY OF THE MEMO NO.ACAD.F1/1692/13 DTD. 31.3.2014.**
- P6 : COPY OF ADMISSION ORDER DTD. 1.4.2011.**
- P7 : COPY OF LETTER DTD. 14.10.2013 ISSUED BY THE UGC.**
- P8 : COPY OF LETTER NO.F1-52/2000 (CPP-II).**
- P9: COPY OF THE CERTIFICATE OF EQUIVALENCE DATED 25/04/2014 ISSUED BY THE REGISTRAR, UNIVERSITY OF CALICUT.**
- P10: COPY OF THE MEMO DATED 22/04/2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.**
- P11: COPY OF THE NOTIFICATION DATED 07/02/2015 ISSUED BY THE 1ST RESPONDENT UNIVERSITY**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

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K. VINOD CHANDRAN, J.

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W.P.(C) No.10518 of 2014 - L

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Dated this the 27th day of February, 2015

J U D G M E N T

The petitioner is a Mass Communication and Journalism student under the Kannur University. The petitioner's application for equivalence of her graduate qualification was declined by the University by Ext.P5 memo. The petitioner had a graduate qualification in Bachelor of Computer Application (B.C.A) from the Madurai Kamaraj University, which was obtained under the distance mode of education. De hors Ext.P5, the learned Standing Counsel for the University submits that, the petitioner would have to file an undertaking before the University that, such course was carried on within the territorial jurisdiction of the Madurai Kamaraj University and only then, the equivalence can be considered. This is following the judgments of the Hon'ble Supreme Court reported in **Prof. Yashpal and another v. State of Chhattisgarh and**

others [(2005) 5 SCC 420] and Rai University v. State of Chhattisgarh and others [(2005) 7 SCC 330]

2. In such circumstance, if the petitioner files an undertaking and produce sufficient evidence to show that the course was carried on in accordance with the binding judgments of the Hon'ble Supreme Court, then definitely, the equivalence shall be considered. However, since, the petitioner's exams in the Post Graduate course is scheduled on 02.03.2015, the petitioner shall be permitted to participate in the examination, but, however, provisionally and subject to the decision of the University with respect to equivalence.

The writ petition is disposed of, leaving open all the contentions of both parties.

Sd/-
K. VINOD CHANDRAN,
JUDGE

SB

// true copy //

P.A to Judge