

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 29TH DAY OF JANUARY 2015/9TH MAGHA, 1936

WP(C).No. 11985 of 2014 (W)

PETITIONER(S) :

1. **BALAKRISHNAN.C.,
CHIRAKKAL VEEDU, RAMANATTUKARA.P.O,
KOZHIKODE.**
2. **SOMASUNDARAN.P,
PRABHA NIVAS, PUTHUR PALLICKAL.P.O,
MALAPPURAM.**
3. **MURALEEDHARAN.P,
NADUKANDIYI VEEDU, P.O.UGRAPURAM,
AREEKODE, MALAPPURAM.**

BY ADV. SRI.P.C.SASIDHARAN

RESPONDENTS:

1. **THE UNIVERSITY OF CALICUT,
THENHIPALAM, MALAPPURAM,
REPRESENTED BY ITS REGISTRAR.
PIN-676 635**
2. **THE VICE CHANCELLOR,
UNIVERSITY OF CALICUT, THENHIPALAM,
MALAPPURAM. PIN-676 635**
3. **THE SYNDICATE OF THE UNIVERSITY OF CALICUT,
THENHIPALAM, MALAPPURAM,
REPRESENTED BY THE VICE CHANCELLOR.
PIN-676 635**
4. **THE SELECTION COMMITTEE CONSTITUTE FOR SELECTION AND
APPOINTMENT TO THE POST OF PEON/WATCHMAN,
REPRESENTED BY ITS CHAIRMAN (VICE CHANCELLOR,
UNIVERSITY OF CALICUT). PIN-676 635**

WP(C).NO.11985/2014

***ADDL.R5 IMPEADED**

***Addl.R5. C.K.LAKSHMI,AGED 45 YEARS,
D/O.NEELANDAN PALAKKANAKKANDI,
CHOLAYIL VEEDU,P.O.KUZHIMANNA,
MALAPPURAM DISTRICT.**

***ADDL. R5 IS IMPEADED AS PER ORDER DATED 04/07/2014 IN IA.NO. 8729/2014.**

**R1 TO R 4 BY ADV. SRI.SANTHOSH MATHEW,SC,CALICUTY UNIVERSITY
ADDL.R5 BY ADV. SMT.M.R.SREELATHA
SRI.K.P.SUDHEER**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 29-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

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APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1** **COPY OF THE JUDGMENT IN W.P(C).NO.21504/2008 AND CONNECTED CASES**
- EXT.P2** **COPY OF THE AMENDMENT SO MADE TO THE FIRST ORDINANCE**
- EXT.P3** **COPY OF THE RELAVANT EXTRACT OF THE MINUTES OF THE SYNDICATE DATED 16/03/2014**
- EXT.P4** **COPY OF THE PROFORMA SUBMITTED BY ONE OF THE PETITIONERS**
- EXT.P5** **COPY OF THE MINUTES OF THE SYNDICATE DATED 16/05/2013 APPROVING THE RECOMMENDATION OF THE STANDING COMMITTEE.**
- EXT.P6** **COPY OF THE RESOLUTION DATED 09/09/2013.**

RESPONDENT(S)' EXHIBITS AND ANNEXURES:

- EXT.R5(A)** **COPY OF THE CLR IDENTITY CARD ISSUED TO THE PETITIONER HEREIN.**
- EXT.R5(B)** **COPY OF THE NOTIFICATION DATED 21/12/2013 ISSUED BY THE RESPONDENT UNIVERSITY AND THE RELEVANT PAGE OF THE LIST**
- EXT.R5(C)** **COPY OF THE CALL LETTER DATED 11/4/2014 ISSUED BY THE RESPONDENT UNIVERSITY TO THE PETITIONER.**
- ANNEX R1(1)** **COPY OF THE UNIVERSITY ORDER NO.12458/2014/ADMN DATED 31/12/2014.**

/TRUE COPY/

PA.TO.JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C)No.11985 of 2014

Dated this the 29th day of January, 2015

JUDGMENT

Petitioners were appointed as C.L.R. Workers in the service of the Calicut University during 1990's and they have crossed the age of 50. The present grievance of the petitioners is that the Syndicate of the University decided not to consider C.L.R. Workers who have crossed the age of 50 for appointment to the post of Peons/Watchman in the service of the University. As per the University Ordinance, 30% of the appointment to the post of Peon and Watchman be given to the list of C.L.R. Workers.

2. In this matter, a statement has been filed by the respondent University. It is stated in Ext.R1(1) that the Syndicate has taken a decision to consider all candidates of C.L.R. Workers who have crossed the age of 50 and therefore, there is no scope for any apprehension that the petitioners will not be included.

3. In view of the subsequent fact that the petitioners will be considered for the appointment to the post of Peon/Watchman, there is no substantial issue to be decided in this case.

4. However, the learned counsel for the petitioners would point out that norms prescribed in Ext.P3 for allotting marks is based on the age. It is submitted that the persons who have crossed the age of 50 also should be assigned suitable marks and the table has to be revised accordingly.

In view of the fact that the Syndicate has taken a decision to include the petitioners for consideration and there shall be a direction to assign suitable marks to the candidates who have crossed age of 50. All other issues are left open.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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