

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 25TH DAY OF MAY 2015/4TH JYAISHTA, 1937

WP(C).No. 12723 of 2015 (M)

PETITIONER:

**DR. M.B.MOHAMED SATHIK, AGED 48 YEARS,
S/O. LATE S.K.M.BADUSHA,
PRINCIPAL SCIENTIST (BOTANY),
RUBBER RESEARCH INSTITUTE OF INDIA,
RUBBER BOARD P.O., KOTTAYAM-686 009.
(RESIDING AT THIRUVITHAMKOTTIL, NAFISA NIVAS,
ICO JUNCTION, CHANGANACHERRY-686 102).**

**BY ADVS.SRIT.R.MOHANAKUMAR
SRI.S.ANIL KUMAR (CHERTHALA)**

RESPONDENT(S):

- 1. UNIVERSITY OF KERALA,
REPRESENTED BY ITS REGISTRAR,
THIRUVANANTHAPURAM-695 034.**
- 2. THE VICE CHANCELLOR ,
UNIVERSITY OF KERALA,
THIRUVANANTHAPURAM-695 034.**

BY SRI.BECHU KURIAN THOMAS, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 25-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' EXHIBITS:

- P1 : TRUE COPY OF NOTIFICATION NO.AD.H/44875/2012 DATED 17.9.2012 OF GOVERNMENT OF KERALA.
- P2 : TRUE COPY OF CERTIFICATES DATED 27.3.1991 OF MADURAI KAMARAJ UNIVERSITY.
- P3 : TRUE COPY OF CERTIFICATE NO.89M211 DATED 16.11.2000 OF UNIVERSITY OF MADRAS.
- P4 : TRUE COPY OF CERTIFICATE NO.SP 30000327 DATED 15.12.2006 OF MADURAI KAMARAJ UNIVERSITY.
- P5 : TRUE COPY OF GOVERNMENT OF KERALA ORDER GO(MS)NO.526 DATED 17TH OF JULY, 1965.
- P6 : TRUE COPY OF MEMO NO.C1/48724/2012 DATED 6.10.2012 ISSUED BY THE RESPONDENT.
- P7 : TRUE COPY OF ORDER NO.AC.C/2/03004/2013 DATED 29.11.2013 ISSUED BY THE RESPONDENT.
- P8 : TRUE COPY OF LETTER NO.AD.H/44875/BOTANY(R)/2012/1 DATED 6.2.2015 ISSUED BY THE RESPONDENT.
- P9: TRUE COPY OF ELIGIBILITY CERTIFICATE WITH SL NO.168 DATED 10.2.2015 ISSUED BY THE RESPONDENT.
- P10 : TRUE COPY OF ELIGIBILITY CERTIFICATE WITH SL NO.258 DATED 10.2.2015 ISSUED BY THE RESPONDENT.
- P11 : TRUE COPY OF REPRESENTATION DATED 18.3.2015.
- P12 : TRUE COPY OF LETTER NO.AD.H/44875/2012/BOTANY/7 DATED 31.3.2015 ISSUED BY THE RESPONDENT.
- P13 : TRUE COPY OF REPRESENTATION DATED 18.4.2015.

RESPONDENT(S)' EXHIBITS:

- NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 12723 of 2015

Dated this the 25th day of May, 2015

J U D G M E N T

The petitioner is aggrieved by the delay in considering his application submitted before the respondent University, which, according to him, was submitted on 06.10.2012.

2. The application was for grant of Eligibility Certificate recognizing his Degree of Doctor of Philosophy-Biotechnology awarded by Madurai Kamaraj University. According to the petitioner, it is equivalent to that of the respondent University. However, the respondent University has prevented him from appearing for an interview for the post of Reader (Botany) on 23.04.2015.

3. This Court, by interim order dated 21.04.2015, directed the respondents to permit the petitioner to appear for the interview scheduled to be held on

23.04.2015 to the aforesaid post.

4. I have heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent University.

5. It was pointed out by the learned counsel for the petitioner that as the petitioner has already appeared for the interview on the basis of the interim order, the only remaining question that has to be considered is regarding the eligibility of the petitioner.

Therefore, this Court is of the view that the writ petition can be disposed of directing the respondent University to consider and pass appropriate orders on Ext.P11 representation dated 18.03.2015 and Ext.P13 representation dated 18.04.2015 submitted by the petitioner for redressal of his grievance.

In the result, the writ petition is disposed of directing the respondent University to consider and pass appropriate orders on Exts.P11 & P13 after affording the petitioner an opportunity of being heard. This exercise

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shall be completed within a period of one month from the date of receipt of a copy of this judgment.

To facilitate an early action, the petitioner shall be at liberty to produce a copy of this judgment as well as a copy of this writ petition before the respondent University at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-