

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

WP(C).No. 17151 of 2009 (L)

PETITIONER(S):

**SUJITH C.,
THIRUVANANTHAPURAM, REPRESENTED BY HIS POWER OF
ATTORNEY HOLDER SRI.CHELLAPPAN, "USHAS",
KALLIYOOR P.O., THIRUVANANTHAPURAM.**

**BY ADVS.SRI.S.M.PREM
SMT.K.P.SANTHI
SRI.S.S.HUSSAIN
SRI.P.K.NIJOY**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
SCHEDULED CASTES/SCHEDULED TRIBES DEVELOPMENT
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. THE DIRECTOR,
SCHEDULED CASTES/SCHEDULED TRIBES DEVELOPMENT
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.**
- 3. THE INDIAN INSTITUTE OF MANAGEMENT
(AHMEDABAD) (IIMA), VASTRAPUR, AHMEDABAD-15,
GUJARAT.**

R1 & R2 BY SPECIAL GOVERNMENT PLEADER SRI.C.K.JAYAKUMAR

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
28-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P1: TRUE COPY OF THE CERTIFICATE ISSUED BY THE 3RD RESPONDENT.
- EXT.P2: TRUE COPY OF CERTIFICATE DTD.2.7.2004 BY THE TAHSILDAR,
THIRUVANANTHAPURAM.
- EXT.P3: TRUE COPY OF G.O.(RT) NO.82/86/SCSTDD DTD.21.2.1986.
- EXT.P4: TRUE COPY OF G.O.(MS)NO.146/68/DD DTD.11.3.1968.
- EXT.P5: TRUE COPY OF G.O.(MS)NO.584/L AND LAD DTD.21.7.1959.
- EXT.P6: TRUE COPY OF G.O.(RT) NO.425/86 DTD.26.9.1986.
- EXT.P7: TRUE COPY OF THE APPLICATION DTD.26.7.2004 SUBMITTED BY THE
PETITIONER.
- EXT.P8: TRUE COPY OF THE LETTER DTD.3.3.2005 OF THE 2ND RESPONDENT.
- EXT.P9: TRUE COPY OF THE APPLICATION SUBMITTED DURIGN THE 2ND YEAR.
- EXT.P10: TRUE COPY OF ONE SUCH REPRESENTATION SUBMITTED TO THE
1ST RESPONDENT THROUGH THE PETITIONER'S FATHER DTD.14.12.2005.
- EXT.P11: TRUE COPY OF THE JUDGMENT DTD.23.5.2008 IN WP(C) NO.28401 OF 2006
OF THIS HONOURABLE COURT.
- EXT.P12: TRUE COPY OF G.O.(MS) NO.55/2007/SCSTDD DTD.15.9.2007.
- EXT.P13: TRUE COPY OF THE ORDER DTD.20.3.2003 OF THE 1ST RESPONDENT AS
PER WHICH EDUCATIONAL BENEFITS ARE GRANTED TO 3 STUDENTS.
- EXT.P14: TRUE COPY OF THE ORDER DTD.13.10.2008 OF THE 1ST RESPONDENT.
- EXT.P15: TRUE COPY OF G.O.(MS)NO.8/2009/SCSTDD DTD.20.1.2009.
- EXT.P16: TRUE COPY OF THE ORDER DTD.18.4.2009 OF THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

K. VINOD CHANDRAN, J.

W.P.(C) No. 17151 of 2009 (L)

Dated this the 28th day of July, 2015

J U D G M E N T

The petitioner claims the tuition fees expended by him for completing a course at the 3rd respondent Institution. The petitioner in the above writ petition assails Ext.P14 order of the Government, specifically passed in pursuance of the direction in Ext.P11.

2. The petitioner's claim for fee concession is on the basis of his claim of belonging to a Scheduled Caste community. The fee concession introduced admittedly was by Government Order G.O.(MS) No.55/2007/SCSTDD dated 15.9.2007, which did not have any retrospective effect. The petitioner had joined the course and completed it, the duration of which was between 2004 to 2006.

3. In such circumstance, there is no reason why Ext.P14 should be interfered with, since, while the petitioner joined and continued in the course at the 3rd respondent Institution, there was no fee concession available to any students.

Writ petition hence would stand dismissed.

Sd/-
K.VINOD CHANDRAN,
JUDGE