

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

WP(C).No. 23818 of 2006 (I)

PETITIONER:

**DR. S. SURESH KUMAR
DEPARTMENT OF AQUACULTURE & FISHERY MICROBIOLOGY
M E S PONNANI COLLEGE, PONNANI-679 586
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.K.RAMAKUMAR (SR.)
SRI.V.BINOY RAM**

RESPONDENTS:

- 1. DR.P.K. ABDUL AZIZ, VICE CHANCELLOR
COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY, COCHIN.**
- 2. COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY
REPRESENTED BY ITS REGISTRAR.**
- 3. DR. BIJOY NANDAN S.,
OFFICER IN CHARGE & TECHNICAL OFFICER
ALLEPPEY R.C. OF CIFRI, VAYALA SUKUMARAN BUILDING
NEAR Y M C A, ALAPPUZHA.**

**BY ADVS. SRI.A.A.ABUL HASSAN, SC, CUSAT
SRI.O.V.RADHAKRISHNAN (SR.)
SRI.C.S.GOPALAKRISHNAN NAIR
SMT.CHANDINI G.NAIR
SRI.S.P.ARAVINDAKSHAN PILLAI, SC, CUSAT
SRI.P.MA.KALAM, SC, CUSAT
SRI.MILLU DANDAPANI, SC, CUSAT
SRI.ABDUL HASSAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS :-

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| EXT.P1 | - | COPY OF THE NOTIFICATION DATED 05.10.2005, ISSUED BY THE COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY. |
| EXT.P2 | - | COPY OF THE RANK LIST OF READER IN MARINE BIOLOGY PUBLISHED BY THE COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY. |
| EXT.P3 | - | COPY OF THE APPOINTMENT ORDER ISSUED TO THE 3RD RESPONDENT AS READER IN MARINE BIOLOGY BY THE COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY. |
| EXT.P4 | - | COPY OF THE APPENDIX VI TO ITEM NO.I (1) (H) (VII) OF THE MINUTES OF THE MEETING HELD ON 12.12.2001 OF THE ACADEMIC COUNCIL OF COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY. |
| EXT.P5 | - | COPY OF LETTER NO.AC.C/INFO-ACT/06 (ii) DATED 18.04.07 ISSUED BY COCHIN UNIVERSITY FOR SCIENCE & TECHNOLOGY TO MR.T.Y. ARAVINDAKSHAN, LECTURER, SELECTION, MES PONNANI COLLEGE, PONNANI. |
| EXT.P6 | - | COPY OF MEMO NO.AC.D/3/RTA/2007 DATED 02.04.07 ISSUED BY MAHATMA GANDHI UNIVERSITY. |
| EXT.P7 | - | COPY OF LETTER NO.F.1.265/2006 (RIA) DATED 26.12.06 ISSUED BY UNIVERSITY GRANTS COMMISSION TO THE PETITIONER. |
| EXT.P8 | - | COPY OF LETTER NO.AC.D3/MISC/2006 (2) DATED 09.11.06 ISSUED BY COCHIN UNIVERSITY FOR SCIENCE & TECHNOLOGY TO PROFESSOR, DR. N. CHANDRAMOHANAKUMAR, KOCHI. |
| EXT.P8 | - | COPY OF COMMUNICATION DATED 31.08.2007 BY THE CUSAT. |

RESPONDENTS' EXHIBITS:-

- | | | |
|-----------|---|--|
| EXT.R2(A) | - | COPY OF THE ORDER NO.AC.C.3/26122/2000 DATED 17.10.2000 ISSUED BY THE UNIVERSITY OF KERALA. |
| EXT.R2(B) | - | COPY OF THE LETTER NO.G.6-2013/64 DATED 07.09.1964 ISSUED BY THE UNIVERSITY OF KERALA. |
| EXT.R2(C) | - | COPY OF THE DETAILS FURNISHED BY THE PETITIONER ABOUT HIS QUALIFICATIONS, EXPERIENCE, PUBLICATION, HONOURS AND AWARDS ETC. |

[CONTD...]

- EXT.R2(D) - COPY OF THE DETAILS ABOUT THE 3RD RESPONDENT.
- EXT.R3(A) - COPY OF THE DEGREE CERTIFICATE ISSUED BY THE MAHATMA GANDHI UNIVERSITY.
- EXT.R3(B) - COPY OF THE DEGREE CERTIFICATE ISSUED BY THE UNIVERSITY OF KERALA, TRIVANDRUM.
- EXT.R3(C) - COPY OF THE CERTIFICATE.
- EXT.R3(D) - A LIST CONTAINING THE DETAILS OF RESEARCH PUBLICATIONS.
- EXT.R3(E) - COPY OF THE UGC 'REGULATION 2000'.
- EXT.R3(F) - COPY OF THE NOTIFICATION THAT APPEARED IN THE MATHRUBHUMI DAILY DATED 10.10.2005.
- EXT.R3(G) - COPY OF THE ORDER OF APPOINTMENT OF SMT. ANIKUTTY.
- EXT.R3(H) - COPY OF THE ORDER NO.ACD 201029/91 DATED 26.03.1991 ISSUED BY THE M.G. UNIVERSITY.
- EXT.R3(I) - COPY OF THE ORDER NO.GAI/A1.7993/96 DATED 07.08.1997 ISSUED BY THE UNIVERSITY OF CALICUT.
- EXT.R3(J) - COPY OF THE LETTER NO.6-2013-64 DATED 07.09.1984 ISSUED IN THIS REGARD.
- EXT.R3(K) - COPY OF THE CERTIFICATE NO.MB/ST/2002-2003 DATED 21.05.2002.
- EXT.R3(L) - COPY OF THE ORDER NO.AD.D3/10121/04(2) DATED 26.08.2006.
- EXT.R3(M) - COPY OF THE JOINING REPORT NO.ADD3/10121/04(2) DATED 12.09.2006.
- EXT.R3(N) - COPY OF THE ORDER NO.AD.D2/31158/85 DATED 19.05.1990 INCLUDING THE GO(P) NO.79/90/H.EDN. DATED 27.03.1990 ALONG WITH ANNEXURE I.
- EXT.R3(O) - COPY OF EXPERIENCE CERTIFICATE DATED 31.08.1994 ISSUED BY THE UNIVERSITY OF KERALA.
- EXT.R3(P) - COPY OF CERTIFICATE DATED 27.10.1998 ISSUED BY THE UNIVERSITY OF KERALA.
- EXT.R3(Q) - COPY OF EXPERIENCE CERTIFICATE DATED 07.11.2002 ISSUED BY DIRECTOR, CIFNET.
- EXT.R3(R) - COPY OF CERTIFICATE DATED 09.02.2004 ISSUED BY THE DIRECTOR, CIFRI.

- EXT.R3(S) - COPY OF CERTIFICATE DATED 20.02.2007 ISSUED BY THE DIRECTOR, CIFRI.
- EXT.R3(T) - COPY OF CERTIFICATE DATED 11.03.1995 ISSUED BY ICAR.
- EXT.R3(U) - COPY OF CITATION ISSUED BY ICAR.
- EXT.R3(V) - COPY OF CERTIFICATE DATED 07.02.2006 ISSUED BY THE THE GOVERNMENT OF KERALA.
- EXT.R3(W) - COPY OF CERTIFICATE ISSUED BY AMRITA VISHWA VIDYAPEETHAM.
- EXT.R3(X) - COPY OF THE ORDER DATED 06.11.2007 ISSUED BY THE 2ND RESPONDENT.

//TRUE COPY//

P.A. TO JUDGE

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K. VINOD CHANDRAN, J.

W.P(C). No.23818 of 2006-I

Dated this the 18th day of December, 2015.

JUDGMENT

The petitioner was aggrieved with the selection of the 3rd respondent to the post of Lecturer in the Cochin University of Science and Technology. The petitioner was also working in the MES Ponnani College at Ponnani. The 3rd respondent is said to have been appointed as a Reader, which selection was challenged by the petitioner, who was also an applicant. By sheer passage of time, it is submitted that the issue no longer survives, since the petitioner is now a Professor in the Kerala University of

Fisheries and Oceanic Studies and the 3rd respondent is an Associate Professor in CUSAT.

In such circumstance, the writ petition is closed, however leaving liberty to the petitioner to agitate the cause, if any, surviving. No costs.

Sd/-

**K. VINOD CHANDRAN,
JUDGE.**

//True Copy//

P.A. to Judge.

sp/21/12/15