

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936

WP(C).No. 18849 of 2011 (E)

PETITIONER(S) :

**SAJINI S.NAIR,
NORTH PERINJUPALLI HOUSE, KALADI, KARAMANA,
THIRUVANANTHAPURAM - 695 002.**

BY ADV. SRI.P.NANDAKUMAR

RESPONDENT(S) :

- 1. STATE OF KERALA, REP. BY SECRETARY TO
GOVERNMENT, AGRICULTURE (FARMS) DEPARTMENT,
THIRUVANANTHAPURAM - 695 001.**
- 2. KERALA AGRICULTURAL UNIVERSITY,
VELLANIKKARA, THRISSUR - 680 656,
REPRESENTED BY ITS REGISTRAR.**

**R1 BY GOVERNMENT PLEADER BY SMT.LOWSY.A
R2 BY ADV. SRI.BABU JOSEPH KURUVATHAZHA,S.C**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 21-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1: TRUE COPY OF INTERIM ORDER DATED 15.01.2001 IN O.P.NO.1535/2001.**
- EXHIBIT P2: TRUE COPY OF COUNTER AFFIDAVIT OF 2ND RESPONDENT IN O.P.NO.1535/2001.**
- EXHIBIT P3: TRUE COPY OF JUDGMENT DATED 12.08.2005 IN O.P.NO.1535/2001.**
- EXHIBIT P4: TRUE COPY OF COMMUNICATION DATED 04.03.2011 FROM THE 2ND RESPONDENT.**
- EXHIBIT P5: TRUE COPY REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE MINISTER FOR AGRICULTURE.**
- EXHIBIT P6: TRUE COPY OF LETTER DATED 07.07.2011 OF THE 1ST RESPONDENT.**
- EXHIBIT P7: TRUE COPY OF LEGAL OPINION DATED 04.05.2011 OF THE ADDL.ADVOCATE GENERAL.**
- EXHIBIT P8: TRUE COPY OF ORDER OF 1ST RESPONDENT DATED 10.05.2011.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.18849 of 2011

Dated this the 21st day of January, 2015

JUDGMENT

The writ petition is filed with the following reliefs:

- i) To issue a writ of mandamus commanding the second respondent to appoint the petitioner to the post of Assistant Professor (Agronomy) in accordance with the directions contained in Ext.P3 judgment of this Court and Ext.P8 order of the Government;
- ii) to call for the records leading to Ext.P4 communication of the second respondent and quash the same by the issuance of a writ of Certiorari;
- iii) to declare that the petitioner is entitled to be appointed in any one of the 3 substantive leave/deputation vacancies of Assistant Professors (Agronomy) which existed during the currency of the ranked list.

2. The claim of the petitioner is referred in Ext.P8, the Government directed the University to consider the claim of the petitioner for appointment as Assistant Professor (Agronomy) in compliance with the direction contained in the judgment of this Court in W.P.(C) No.1535/2001 dated 12.8.2005.

3. The learned Standing Counsel for the University submits that there are no vacancies to accommodate the petitioner. The petitioner has 16th rank in the open category and all the vacancies have been filled by the persons in the higher ranking. The above submission is recorded.

Accordingly, the writ petition is disposed of.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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