

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

WEDNESDAY, THE 17TH DAY OF JUNE 2015/27TH JYAISHTA, 1937

WP(C).No. 16644 of 2015 (S)

PETITIONER(S) :-

ABDUL VAHAB, AGED 40 YEARS
S/O ABDUL AZEEZ, SENIOR LECTURER
DEPARTMENT OF PHARMACEUTICAL SCIENCE
SCHOOL OF MEDICAL EDUCATION, THALAPPADY
KOTTAYAM RESIDING AT MUTTAMON VEEDU, NADUKUNNU P.O.,
PATHANAPURAM, KOLLAM

BY ADVS.SRI.PRATHEESH.P
SMT.S.SEETHA

RESPONDENT(S) :-

1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF CO-OPERATIVE SOCIETIES
GOVERNMENT OF KERALA, SECRETARIAT
THIRUVANANTHAPURAM - 695 001.
2. THE DIRECTOR, CO-OPERATIVE ACADEMY
OF PROFESSIONAL EDUCATION (CAPE)), CO-BANK TOWERS
1ST FLOOR, VIKAS BHAVAN P.O
THIRUVANANTHAPURAM - 695 033.
3. ALL INDIA COUNCIL FOR TECHNICAL EDUCATION
(AICTE) REPRESENTED BY ITS SECRETARY (EDUCATION)
GOVERNMENT OF INDIA, SHASTRI BHAVAN, NEW DELHI-110 001.

R3 BY ADV. SRI.S.KRISHNAMURTHY,SC, AICTE
R1 BY SPL.GOVERNMENT PLEADER SMT.GIRIJA GOPAL
R2 BY SRI.V.KRISHNA MENON, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1 : A TRUE COPY OF THE PROFILE OF THE CAPE.

EXT.P2 : THE COPY OF THE NOTIFICATION NO.E1-5456/2013/CAPE DATED 10/6/2014 PUBLISHED BY THE 2ND RESPONDENT INVITING APPLICATION TO THE POST OF ASST.PROFESSOR.

EXT.P3 : THE COPY OF THE COUNTER AFFIDAVIT FILED BY THE 2ND RESPONDENT IN W.P.(C) NO.12036/2015.

EXT.P4 : A CALL LETTER ISSUED BY THE 2ND RESPONDENT TO ONE OF THE CANDIDATES TO APPEAR FOR INTERVIEW ON 14/5/2015 AT 10 AM DATED 2/5/2015.

EXT.P5 : A PAPER REPORT REGARDING THE MALAFIDES IN THE APPOINTMENT OF ASST.PROFESSOR, WHICH REPORTED IN MANGALAM DAILY DATED 17.5.2015 WITH TRANSLATION.

EXT.P6 : THE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DATED 29/5/2015 WITH TRANSLATION.

EXT.P7 : THE COPY OF THE UGC NOTIFICATION, WHICH PERTAINS TO CLAUSE 6.1.0.

EXT.P8 : THE COPY OF THE ORDER IN W.P.C NO 14287/2015 DATED 12/5/2015.

EXT.P9 : THE COPY OF THE 1ST PAGE OF RANKED LIST OF CANDIDATES TO THE POST OF ASST. PROFESSOR IN ELECTRONICS AND COMMUNICATION PUBLISHED BY LBS CENTRE DATED 31/8/2014.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

**ASHOK BHUSHAN, C.J &
A.M. SHAFFIQUE, J.**

W.P.(C) No.16644 of 2015

Dated this the 17th day of June 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard the learned counsel for the petitioner and the learned counsel appearing for respondents 2 and 3.

2. This writ petition has been filed by the petitioner praying for quashing the select list to the post of Assistant Professor in Mathematics selected as per Ext.P2. The petitioner claims to be the General Secretary of an unauthorised association. By this writ petition virtually, the petitioner is seeking a relief pertaining to service matter, challenging the selection to the post of Assistant Professor. It is well settled that public interest litigation is not normally entertained in a service matter. In this context, reference is made to the judgment of this Court dated 20.1.2015 in W.P. (C) No.1918 of 2015.

W.P.(C) No.16644 of 2015

-: 2 :-

We are of the view that following the aforesaid judgment, this writ petition cannot be entertained as a public interest litigation. Hence, it is dismissed.

**Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE**

**Sd/-
A.M. SHAFFIQUE
JUDGE**

Jvt