

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 6TH DAY OF MARCH 2015/15TH PHALGUNA, 1936

WP(C).No. 24032 of 2007 (J)

PETITIONER(S):

**THE MALABAR EDUCATIONAL & CHARITABLE
TRUST, YOGASALA ROAD, KANNUR-670 001,
REPRESENTED BY ITS DIRECTOR AND MANAGING TRUSTEE
VALSAN MATATHIL.**

BY ADV. SRI.GEORGE POONTHOTTAM

RESPONDENT(S):

- 1. THE VICE CHANCELLOR,
KANNUR UNIVERSITY, KANNUR.**
- 2. THE UNIVERSITY OF KANNUR,
REPRESENTED BY THE REGISTRAR, KANNUR.**
- 3. THE CONTROLLER OF EXAMINATIONS,
KANNUR UNIVERSITY, KANNUR.**

**R1 & BY ADV. SRI.M.SASEENDRAN,SC
R3 BY GOVERNMENT PLEADER SRI.R.RENJITH**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06-03-2015,
ALONG WITH WPC. 26824/2007, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

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APPENDIX

PETITIONERS' EXHIBITS

- P1: COPY OF THE RECOGNITION ORDER NO.F.KL/SEC/N/309/SRO/NCTE/2005-06/3365 DATED 7/10/05**
- P2: COPY OF THE COMMUNICATION NO.ACAD/A1/NC/2005 DATED 27/12/05 GIVEN BY THE UNIVERSITY**
- P3: COPY OF THE COMMUNICATION DATED 8/3/06**
- P4: COPY OF THE ORDER NO.ACAD/A2/M.B.ED T.C/675/2005 DATED 25/5/2006.**
- P5: COPY OF THE JUDGMENT IN W.P. NO.260073/2006 DATED 25/10/2006.**
- P6: COPY OF THE INTERIM ORDER IN W.P.(C) NO.10569/2007 DATED 03/04/2007.**
- P7: COPY OF THE JUDGMENT IN W.P. © NO.10569/2007 DATED 13/07/2007.**
- P8: COPY OF THE COVERING LETTER DATED 13/04/2007**
- P9: COPY OF THE COMMUNICATION DATED 27/04/2007.**
- P10: COPY OF THE REPRESENTATION DATED 12/06/2007.**
- P11: COPY OF THE COMMUNICATION GIVEN TO THE REGISTRAR DATED 30/03/2006.**
- P12: COPY OF THE ORDER NO.ACAD/A2/M.B.ED.T.C/675/2005 DATED 26/07/2007.**
- P13: COPY OF THE COMMUNICATION NO.EXC.II/1/B.ED. VAL./07 DATED 03/08/2007.**
- P14: COPY OF THE PROSPECTUS PUBLISHED BY THE ENTRANCE COMMISSIONER**
- P15: COPY OF THE LIST OF STUDENTS ADMITTED UNDER THE MERIT AND MANAGEMENT QUOTA**
- P16: COPY OF THE COMMUNICATION NO.EX.C.II/1 & 2/VAL/2007 DATED 24/07/2007.**
- P17: COPY OF THE ATTENDANCE STATEMENT OF EXTERNAL EXAMINERS FOR 6/8/07**
- P18: COPY OF THE VERIFICATION CONDUCTED BY THE EXTERNAL EXAMINER FOR THE SUBJECT NATURAL SCIENCE**
- P19: COPY OF THE LETTER DATED 7/8/07**
- P20: COPY OF THE LETTER DATED 9/8/07**

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- P21: COPY OF THE LETTER DATED 10/8/07**
- P22: COPY OF THE LETTER DATED 6/8/07**
- P23: COPY OF THE COMMUNICATION NO.EXC.III/I/B.ED/VAL.07 DATED 7/8/07**
- P24: COPY OF THE LETTER DATED 16/8/07**
- P25: COPY OF THE LETTER DATED 31.7.2006 GIVEN TO THE REGISTRAR**
- P26: COPY OF THE NOTICE NO.ACAD/A2/M.B.ED.T.C./675/2005 DATED 2/8/2006**
- P27: COPY OF THE REPLY DATED 11/8/2006**
- P28: COPY OF THE COMMUNICATION DATED 21/7/05**
- P29: COPY OF THE NOTIFICATION DATED 3011-20907 AND THE RESULTS
PUBLISHED BY THE UNIVERSITY OF TRHE CANDIDATES APPEARED FROM
THE PETITIONER COLLEGE.**

RESPONDENTS' EXHIBITS

- R2(A): COPY OF THE LETTER DATED 27/12/2005**
- R2(B): COPY OF THE RECOMMENDATION OF THE INSPECTION COMMISSION**
- R2(C): COPY OF THE ORDER ISSUED BY THE ORDER OF AFFILIATION BEARING
NO.ACAD/A2/M.B.ED TC/675/2005 DATED 28/7/2006**
- R2(D): COPY OF THE LETTER DATED 4/11/2006**

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. VINOD CHANDRAN, J

**W.P(C) Nos.24032 of 2007-J &
26824 of 2007-R**

Dated this the 06th day of March, 2015

J U D G M E N T

The issue raised in the above two writ petitions is the challenge against the initiation of proceedings on the alleged excess intake of students made by the college. The syndicate, pursuant to the proceedings is said to have imposed a fine which has been paid by the petitioner. In such circumstance, nothing survives as of now in the above writ petition. However, the contentions shall be left open.

Writ petitions are closed.

Sd/-
(K. VINOD CHANDRAN, JUDGE)

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P.A to Judge