

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936

WP(C).No. 18329 of 2014 (M)

PETITIONER

**MUSLIM EDUCATIONAL SOCIETY,
BANK ROAD, CALICUT-673001
REPRESENTED BY ITS CORRESPONDENT AND CHAIRMAN
STANDING COMMITTEE ON MES COLLEGES.**

**BY ADVS.SRI.BABU KARUKAPADATH
SMT.M.A.VAHEEDA BABU
SRI.K.A.NOUSHAD
SRI.P.U.VINOD KUMAR
SRI.KANDAMPULLY RAHUL
SRI.MITHUN BABY JOHN
SRI.J.RAMKUMAR**

RESPONDENTS:

- 1. UNIVERSITY OF CALICUT,
REPRESENTED BY ITS REGISTRAR, THENHIPALAM, MALAPPURAM
PIN-676505.**
- 2. THE VICE CHANCELLOR,
UNIVERSITY OF CALICUT, THENHIPALAM, MALAPPURAM
PIN-676505.**
- 3. THE SYNDICATE,
UNIVERSITY OF CALICUT
REPRESENTED BY ITS VICE CHANCELLOR, THENHIPALAM
MALAPPURAM, PIN-676505.**

**R BY SRI. SATHISH NINAN, SC CALICUT UNIVERSITY
R BY SRLSANTHOSH MATHEW,SC,CALICUTY UNIVERSITY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1:** **COPY OF THE ORDER OF THE HON'BLE SUPREME COURT DATED 22/9/2006 IN SLP NO.24295/2004.**
- EXT.P2:** **COPY OF THE ORDER DATED 17/07/2012, ISSUED BY THE 1ST RESPONDENT TO THE PRINCIPALS OF THE COLLEGES ALONG WITH THE RELEVANT PORTIONS OF THE REVISED ELECTION RULES.**
- EXT.P3:** **COPY OF THE INTERIM ORDER DATED 5/11/2012 IN WPC NO.18322/2012.**
- EXT.P4:** **COPY OF THE INTIMATION DATED 31/7/2013 ALONG WITH APPENDIX AND ELECTION SCHEDULE, RECEIVED BY THE PRINCIPALS OF THE COLLEGES FROM THE UNIVERSITY, BY E-MAIL ON 5/8/2013.**
- EXT.P5:** **COPY OF THE INTERIM ORDER DATED 12/8/2013 IN WPC NO.19791/2013.**
- EXT.P6:** **COPY OF THE NOTIFICATION DATED 9/7/2014, APPEARED IN THE UNIVERSITY WEBSITE ON 13/7/2014 ALONG WITH THE COLLEGE UNION ELECTION SCHEDULE 2014-15.**

RESPONDENT(S)' EXHIBITS

NIL

TRUE COPY

P.A TO JUDGE

SMM

K. VINOD CHANDRAN, J.
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W.P.(C) No.18329 of 2014
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Dated this the 19th day of March, 2015

J U D G M E N T

An identical issue was considered in a batch of writ petitions connected with W.P.(C) No. 17964 of 2014, wherein it was held so in paragraph 10, which is extracted hereunder:-

10. However, this Court is of the view that, since it has been made clear by the Apex Court in the interim order that the aforesaid recommendations mentioned above be accepted and adopted as an interim measure, these writ petitions can be disposed of declaring that as far as the petitioners are concerned, they shall be free to choose any one of the four modes of election for the conduct of college students union election de hors the direction issued by the respondent Universities the rules/circulars/directions impugned.

Therefore, the writ petitions are disposed of declaring that it is open to the petitioners to choose any one of the four modes of election in the college students union election as permitted by the Apex Court in the order reported in 2006(8) SCC 304 de hors the directions in the rules/circulars/directions impugned.

However, it is hereby made clear that the benefit of this judgment shall be confined to the petitioners only and it shall be subject to the final outcome of the decision of the larger bench of the Supreme Court now

pending consideration as per the reference order
reported in 2010(1) SCC 353.

On the very same terms, the above writ petition
is also disposed of.

**K. VINOD CHANDRAN,
JUDGE**

smm