

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 9TH DAY OF JULY 2015/18TH ASHADHA, 1937

WP(C).No. 18153 of 2015 (T)

PETITIONER :

**PRAKASH BABU.P., AGED 49 YEARS,
S/O E. PADMANABHA KURUP, CHAITHRAM, MEPPAYIL P.O.,
VATAKARA KOZHIKODE, PIN:673104.**

**BY ADVS.SRI.C.R.SIVAKUMAR
SMT.K.G.NISHAMOL
SRI.ELDHO MATHEW
SMT.SINDHU S KAMATH**

RESPONDENTS :

- 1. THE MAHATMA GANDHI UNIVERSITY
PRIYADARSHNI HILLS,
KOTTAYAM - 686560 REPRESENTED BY ITS REGISTRAR.**
- 2. THE STATE OF KERALA
REPRESENTED BY SECRETARY,
DEPARTMENT OF HIGHER EDUCATION SECRETARIAT,
THIRUVANANTHAPURAM-695001.**
- 3. THE UNION OF INDIA
REPRESENTED BY ITS UNDER SECRETARY,
MINISTRY OF HUMAN RESOURCE DEVELOPMENT NEW DELHI-110 001.**
- 4. UNIVERSITY GRANTS COMMISSION,
REPRESENTED BY ITS SECRETARY, 35, FEROZSHAH ROAD
NEW DELHI-110 001.**

**R1 BY SRI.VARUGHESE M.EASO, SC,
R2 BY GOVERNMENT PLEADER SMT. K.A. SANJEETHA
R3 BY ADV. SRI.K.R.RAJKUMAR, ADDL.CGSC
BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
BY SRI.S.KRISHNAMOORTHY, CGC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: THE TRUE COPY OF THE ORDER NO.6354/2014/OC/SDEV
DATED 22.12.2014.

EXHIBIT P2: THE TRUE COPY OF THE MOU DATED 6.2.2015.

EXHIBIT P3: THE TRUE COPY OF THE JUDGMENTS IN W.A.NOS. 605/2015, 615/2015
AND 617/2015 DATED 23.3.2015.

EXHIBIT P4: THE TRUE COPY OF THE ORDER OF THE REGISTRAR OF THE 1ST
RESPONDENT DATED 8.5.2015.

EXHIBIT P5: THE TRUE COPY OF THE ORDER ISSUED BY THE 4TH RESPONDENT.

EXHIBIT P6: THE TRUE COPY OF THE COMMUNICATION DATED 12.5.2015.

EXHIBIT P7: THE TRUE COPY OF THE REPRESENTATION DATED 5.6.2015.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.18153 of 2015

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Dated this the 9th day of July, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

- “i. Issue a writ of mandamus or other appropriate writ order or direction directing the 1st respondent to permit the petitioner to shift his off-campus institution and continue to function at the territorial limits of the 1st respondent University.
- ii. Declare that the petitioner has a right to operate study centres in terms of the MOU executed with the University under the Mahatma Gandhi University Act, 1985.”

2. Arguments have been heard.

3. The learned standing counsel for the respondent university submitted that as per the orders of the Chancellor dated 17.6.2015 all the off-campus centres of the respondent university were ordered to be closed and the decision has been implemented.

4. As the very right of the petitioner to continue off-campus centres is taken away by the orders of the Chancellor, the relief claimed in this writ petition has become infructuous. Therefore, the writ petition is dismissed.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

krj