

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

WP(C).No. 18176 of 2015 (V)

PETITIONER(S):

**ANNIE MERIN JOHNEY,
D/O. JOHNEY SEBASTIAN, QUARTER NO.2/4
KENDRIYA VIDYALAYA STAFF QUARTERS, KARTAIBAGH,
NAVEL BASE, KOCHI-682 004.**

**BY ADVS.SRI.P.RAMAKRISHNAN
SMT.PREETHI KESAVAN
SRI.S.K.HARISH
SRI.T.C.KRISHNA
SRI.C.ANIL KUMAR
SMT.ASHA K.SHENOY
SRI.PRATAP ABRAHAM VARGHESE**

RESPONDENT(S):

**1. INSTITUTE OF HUMAN RESOURCES DEVELOPMENT,
PRAJEO TOWERS, VAZHUTHACAUD,
THIRUVANANTHAPURAM - 695 014,
REPRESENTED BY ITS DIRECTOR.**

**2. THE PRINCIPAL, MODEL ENGINEERING COLLEGE,
THRIKKAKARA, ERNAKULAM - 682 021.**

**R1 BY ADV. SRI.V.A.MOHAMMED, SC, IHRD
R2 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
19-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

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APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF PROSPECTUS DATED 19.5.2015 ISSUED BY THE
1ST RESPONDENT.**

EXHIBIT P2: TRUE COPY OF ON-LINE APPLICATION SUBMITTED BY THE PETITIONER.

**EXHIBIT P3: TRUE COPY OF CERTIFICATE ISSUED BY THE FEDERAL BANK LIMITED
ON 2.6.2015.**

**EXHIBIT P4: TRUE COPY OF DECLARATION MADE BY THE PETITIONER'S SPONSOR
ARUN VARIATH JACOB.**

**EXHIBIT P5: TRUE COPY OF EMPLOYMENT CERTIFICATE DATED 4.6.2015 ISSUED IN
THE NAME OF THE PETITIONERS SPONSOR, ARUN VARIATH JACOB.**

**EXHIBIT P6: TRUE COPY OF LIST REJECTED APPLICATIONS PUBLISHED BY THE
2ND RESPONDENT.**

EXHIBIT P7: TRUE COPY OF RANKED LIST PUBLISHED BY THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

K. VINOD CHANDRAN, J.

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Dated this the 19th day of June, 2015

J U D G M E N T

The petitioner is aggrieved with the non-consideration of her claim as an NRI candidate eligible to apply for admission to NRI seats in B. Tech Electronics and Communication course under the Model Engineering College, Thrikkakara, Ernakulam/ the 2nd respondent. The petitioner is said to have applied under the NRI quota for the payment seat in the 2nd respondent college. However, her application was not considered under the NRI quota and such claim was rejected as per Ext.P6, which indicates that there was no "NRI certificate produced".

2. Since there was considerable dispute with respect the production of the NRI certificate, this Court had directed the 2nd respondent to produce the applications down loaded from the site and the print out, which was submitted before the college. The learned Counsel for the respondent has now

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produced the same and the dispute is with respect to Ext.P3 produced along with the application.

3 Ext.P3 is the extract of the pass book of an NRI, which is attested by the Chief Manager of the Branch, in which the account is opened. However, what is stipulated in Ext.P1 regulation is a certificate from the Bank proving the valid NRE account in the name of the sponsor of the candidate including his/her current valid full address abroad with phone number. The certified extract of the Bank account may not be a substitute for the certificates stipulated. Even if no particular format is provided, the petitioner ought to have obtained a certificate from the Branch Manager as indicated in the prospectus.

In such circumstance, no infirmity can be found in the petitioner's application and the application is dismissed.

Sd/-
K. VINOD CHANDRAN,
JUDGE

SB

// true copy //

P.A to Judge.