

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

WP(C).No. 19119 of 2014 (L)

PETITIONER(S) :

1. ALOSHIOUS XAVIER,
KANNATTU HOUSE, VALARA P.O., 12TH MILE,
IDUKKI DISTRICT, PIN-685 561.
2. JOJO JOHN,
CHENNUKUNNEL HOUSE, ARAKUZHA P.O., MUVATTUPUZHA,
ERNAKULAM DISTRICT-686 672.

BY ADVS.SRI.SURIN GEORGE IPE
SRI.M.V.BIPIN.

RESPONDENT(S) :

1. M.G.UNIVERSITY,
REPRESENTED BY ITS REGISTRAR,
PRIYADARSHINI HILLS, KOTTAYAM-686 560.
2. M.G.UNIVERSITY,
REPRESENTED BY ITS VICE CHANCELLOR,
PRIYADARSHINI HILLS, KOTTAYAM-686 560.
3. RETURNING OFFICER (ELECTIONS 2012-13) ,
M.G.UNIVERSITY, PRIYADARSHINI HILLS, P.O.
KOTTAYAM-686 560.

* ADDL. R4 & R5 IMPEADED

R4. SHAHRUKH KHAN.O.S.
UNIVERSITY UNION COUNCILOR
SIENNA COLLEGE OF PROFESSIONAL STUDIES, KONNAM ROAD,
PERUMPADAPPU, PALLURUTHY.P.O.,
EDACOCHIN (CANDIDATE FOR THE ELECTION TO THE STUDENTS
COUNCIL FROM THE CONSTITUENCY OF GENERAL COUNCIL OF THE
UNIVERSITY UNION OF THE MAHATMA GANDHI UNIVERSITY)
AGED 22 YEARS, S/O.SHAHNAWAZ KHAN.J.O.,
RESIDING AT 48/2223, PLAY GROUND ROAD, ELAMAKKARA.P.O.
KOCHI -682026.

R5. BINSHAD.K.JABBAR,
S/O.JABBAR, UNIVERSITY UNION COUNCILOR,
R.U.COLLEGE OF MANAGEMENT AND TECHNOLOGY,
KUNNATHUNAD, ERNAKULAM (DIST), AGED 20 YEARS,
NOW RESIDING AT PALAKKAMUTTOM HOUSE,
CHANGAMPUZHA NAGAR.P.O., KALAMASSERY.

ADDL. R4 AND R5 ARE IMPLEADED AS PER ORDER DATED 30/07/2014
IN IA 10184/2014.

R4-5 BY ADV. SRI.GEORGE JOSEPH
R1-R3 BY ADV. SRI.VARUGHESE M.EASO, SC, M.G.UNIVERSITY.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 04-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXT.P1. TRUE COPY OF THE NOTIFICATION DATED 3//5/2014 BY THE 3RD RESPONDENT.
- EXT.P2. TRUE COPY OF THE COMMUNICATION FROM THE OFFICE OF THE 1ST RESPONDENT TO THE 3RD RESPONDENT.
- EXT.P3. TRUE COPY OF THE NOTIFICATION ISSUED BY THE 3RD RESPONDENT DATED 10/6/2014 POSTPONING THE ELECTION AND DELETION OF THE FAKE CANDIDATES.
- EXT.P4. TRUE COPY OF THE REPRESENTATION DATED 4/7/2014 MADE BY THE 1ST PETITIONER TO THE 1ST RESPONDENT.
- EXT.P4 (A) . TRUE COPY OF THE REPRESENTATION DATED 4/7/2014 MADE BY THE 2ND PETITIONER TO THE 1ST RESPONDENT.

RESPONDENT(S) ' EXHIBITS :

- EXT.R1 (A) . TRUE COPY OF JUDGMENT DATED 08/07/2014 IN WP (C) 17290/2014 (1) OF THIS HONOURABLE COURT.
- EXT.R1 (B) . TRUE COPY OF ORDER NO.3089/1/2014/ELEN. DATED 30/07/2014.
- EXT.R5 (A) . TRUE COPY OF THE NOTIFICATION DATED 30/07/2014 PUBLISHED BY RETURNING OFFICER (FINAL LIST OF CANDIDATES VALIDLY NOMINATED FOR ELECTION TO THE SENATE AND STUDENTS COUNCIL FROM THE CONSTITUENCY OF GENERAL COUNCIL 2012-2013) OF THE MAHATMA GANDHI UNIVERSITY.
- EXT.R5 (B) . TRUE COPY OF THE NOTIFICATION DATED 30/07/2014 PUBLISHED BY RETURNING OFFICER FOR ELECTION TO THE SENATE AND STUDENTS COUNCIL FROM THE CONSGTITUENCY OF GENERAL COUNCIL OF THE UNIVERSITY UNION OF THE MAHATMA GANDHI UNIVERSITY 2012-2013.
- EXT.R5 (C) . TRUE COPY OF THE NOTIFICATION DATED 09/12/2013 ISSUED BY THE REGISTRAR IN CHARGE OF THE MAHATMA GANDHI UNIVERSITY.

- EXT.R5(D) . TRUE COPY OF THE NOTIFIFCATION DATED 27/12/2012 PUBLISHED BY RETURNING OFFICER4 FOR ELECTION TO THE SENATE AND STUDENTS COUNCIL FROM THE CONSTITUENCY OF GENERAL COUNCIL 2011-12.
- EXT.R5(E) . TRUE COPY OF THE IDENTITY CARD AS A MEMBER, GENERAL COUNCIL (UNIVERSITY UNION COUNCILOR) 2012-2013 ISSUED TO THE 4TH RESPONDENT BY THE MAHATMA GANDHI UNIVERSITY.
- EXT.R5(F) . TRUE COPY OF THE IDEDNTITY CARD AS A MEMBER, GENERAL CONCIL (UNIVERSITY UNION COUNCILOR)2012-2013 ISSUED TO THE 5TH RESPONDENT BY THE MAHATMA GANDHI UNIVERSITY.
- EXT.R5(G) . TRUE COPY OF THE NOTIFICATION DATED 03/06/2014 ISSUED BY THE 3RD RESPONDENT.
- EXT.R5(H) . TRUE COPY OF THE REPRESENTATION OF THE 4TH RESPONDENT DATED 13/06/2014 SUBMITTED TO THE PRO-VICE CHANCELLOR IN CHARGE OF VICE CHANCELLOR, MAHATMA GANDHI UNIVERSITY, PRIYADARSHINI HILLS, KOTTAYAM-686560.
- EXT.R5(I) . TRUE COPY OF THE JUDGMENT IN WP(C) NO.17290/2014 DATED 08/07/2014 OF THE HON'BLE HIGH COURT OF KERALA.
- EXT.R5(J) . TRUE COPY OF THE ORDER DATED 30/07/2014 OF THE VICE CHANCELLOR, MAHATMA GANDHI UNIVERSITY.
- EXT.R5(K) . TRUE COPY OF THE RELEVANT PAGES OF THE MAHATMA GANDHI UNIVERSITY ACT, 1985.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 19119 of 2014

Dated this the 4th day of March, 2015

J U D G M E N T

The matter relates to the election to the Senate and Students Council from the full-time students of the General Council of the Mahatma Gandhi University for the academic year 2013-2014.

2. This Court, by interim order dated 08.08.2014, refused to interfere with the election scheduled to be held on the aforesaid day, i.e., on 08.08.2014.

As it appears from the materials now placed on board that the matter has become infructuous, the writ petition is closed without examining the merits of the grounds raised.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-