

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

WP(C).No. 20319 of 2015 (L)

PETITIONER(S):

ABHIRAMI V., AGED 17 YEARS
D/O.VINOD KUMAR, MAYA MANDIRAM, CONVENT ROAD
THOTTAKKATTUKARA ALUVA
REPRESENTED BY MOTHER
AND NATURAL GUARDIAN
ADVOCATE AJI.S.MENON, W/O.VINOD KUMAR B., MAYA MANDIRAM
CONVENT ROAD, THOTTAKKATTUKARA, ALUVA.

BY ADV. SRI.K.S.RAJEEV (ALUVA)

RESPONDENT(S):

1. COMMISSIONER FOR ENTRANCE EXAMINATION
FIFTH FLOOR, HOUSING BOARD BUILDING, SANTHI NAGAR
THIRUVANANTHAPURAM.
2. SECRETARY
EDUCATION DEPARTMENT, GOVT.SECRETARIAT
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. ROSHAN ALEXANDER

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

WP(C).No. 20319 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P-1: TRUE COPY OF + 2 MARK LIST

EXT.P-2: TRUE COPY OF IST ALLOTMENT AND FURTHER REJECTION FROM THE
PROGRAMME DOWNLOADED FROM COMPUTER

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.A. TO JUDGE

dlk

K. VINOD CHANDRAN, J.

W.P(C). No.20319 of 2015

Dated this the 07th day of July, 2015.

JUDGMENT

The petitioner is aggrieved with the fact that the petitioner's allotment has been cancelled for reason of the petitioner having not paid fees within the time prescribed. The delay, the petitioner attempts to explain on the ground that the petitioner and her mother were laid up due to 'Chicken Pox'. But for the bland assertion that the petitioner and her mother were laid up, nothing is produced to substantiate the said contention. It is also evident from the writ petition that the petitioner's mother had entrusted one another person to remit the fees and it is alleged, that third party had failed to pay the fees within the prescribed time.

2. I have heard the learned counsel for the petitioner and the learned Senior Government Pleader also. The first allotment is over and the second allotment is now proceeding. As per the

specific clause in the prospectus, the remittance of fee has to be made during the prescribed time, after the allotment is accepted by the candidate. The petitioner herein was allotted a seat in the Toc-H Engineering College, but however the petitioner failed to remit the fees between 22.06.2015 and 03.07.2015, which was specifically prescribed as per the prospectus. Clause 11.6.2 of the prospectus provides that, those candidates, who do not remit the fee on or before the date prescribed for the same, will lose their allotment as well as the eligibility for further allotment.

In such circumstance, the petitioner has, by her own default disentitled herself for further allotment in the KEA, 2015. The petitioner however would be entitled to seek for the spot allotment, when scheduled in the various Colleges.

The writ petition would stand closed with the above observation.

Sd/-

**K. VINOD CHANDRAN,
JUDGE**

sp