

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN**

**WEDNESDAY, THE 15TH DAY OF JULY 2015/24TH ASHADHA, 1937**

**WP(C).No. 21091 of 2015 (J)**  
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**PETITIONER(S)/PETITIONER:**  
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**RUBEENA RASACK  
MARATTIKUNNEL,  
VENGALLOOR P O, THODUPUZHA  
IDUKKI**

**BY ADV. SRI.K.A.HASSAN**

**RESPONDENT(S)/RESPONDENTS:**  
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- 1. STATE OF KERALA  
REPRESENTED BY THE SECRETARY  
DEPARTMENT OF EDUCATION, GOVT.SECRETARIAT  
THIRUVANANTHAPURAM PIN: 695 001**
- 2. THE COMMISSIONER FOR ENTRANCE EXAMINATIONS  
HOUSING BOARD BUILDINGS, SANTHI NAGAR  
THIRUVANANTHAPURAM 695001  
ALL THE RESPONDENTS ARE REPRESENTED BY THE  
GOVERNMENT PLEADER HIGH COURT OF KERALA**

**BY GOVERNMENT PLEADER SRI.ROSHAN D. ALEXANDER**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
15-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**VS**

**WP(C).No. 21091 of 2015 (J)**  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
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- EXT.P1 :- THE TRUE COPY OF THE PROSPECTUS FOR THE KEAM 15**
- EXTP2 :- THE TRUE COPY FO THE PRINTED APPLICATION FROM  
SUBMITTED BY THE PETITIONER FOR ENGINEERING  
ENTRANCE EXAMINATION KEAM 15**
- EXTP3 :- THE TRUE COPY OF THE MARK DATA SHEET PREPARED  
BY THE OFFICE OF THE COMMISSIONER FOR ENTRANCE  
EXAMINATIONS, TRIVANDRUM**
- EXTP4 :- THE TRUE COPY OF THE CANDIDATES DATA SHEET PREPARED  
BY THE OFFICE OF THE COMMISSIONER FOR ENTRANCE  
EXAMINATIONS, TRIVANDRUM**
- EXTP5 :- THE TRUE COPY OF THE COLLEGE WISE LAST RANK DETAILS  
PUBLIHSED ON 9/7/2015**
- EXTP6 :- THE TRUE COPY OF THE MARK LIST OF THE BOARD OF  
HIGHER SECONDARY EXAMINATION FOR THE YEAR 2014**

**RESPONDENT(S)' EXHIBITS**  
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**NIL**

**/TRUE COPY/**

**PA TO JUDGE**

**VS**

**K.VINOD CHANDRAN, J**

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**W.P.(C).No.21091 of 2015**  
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Dated this the 15<sup>th</sup> day of July, 2015

**JUDGMENT**

The petitioner is a participant in the Kerala Engineering, Agricultural, Medical (KEAM) Entrance Examinations, 2015, who secured rank No.20582. The petitioner also had reservation in Socially and Educationally Backward Classes (SEBC) category since she belongs to Muslim community.

2. The petitioner had participated in the first phase of allotment which occurred between 16.06.2015 and 25.06.2015. However, she could not obtain a seat in the first phase of allotment for the reason that the higher rank holders in the same category having opted for the colleges in which she also opted. The petitioner did not get the opted college, prioritised by her, which are said to be seven in numbers.

3. However, even at the second allotment, she could not make an option and the petitioner is aggrieved

by the same. The petitioner though had exercised option in the second allotment, her option was not accepted and later the petitioner realised that the rank holders even below her rank got allotment in the second phase.

4. The learned Senior Government Pleader however refers to Clause 11.6.4 of the prospectus to contend that a person who does not re-confirm her option at the first phase would not be allowed to take the second phase.

5. Clause 11.6.4 deals with online option confirmation. When the first allotment is made, each candidate has to visit the website and make their options. After the phase of first allotment, the Commissioner of Entrance Examinations, directs each candidate to make re-confirmation of their options since there would be vertical or horizontal movements, on the basis of vacancies arising for reason of the higher rank holders not accepting their allotments. So after the phase of first allotment, each student is communicated the need to

make confirmations; by way of

- (i) newspaper publication,
- (ii) SMS issued to the individual mobile numbers and
- (iii) intimation in the website.

6. The petitioner had in fact opted for 7 colleges in the first allotment in the order of their academic excellence and also considering the student priority. However, the petitioner did not obtain allotment in the said 7 colleges. Even in the least prioritised colleges among the 7 colleges the allotment was only upto rank No.18,971. There could not be any further allotment made to the 7 colleges. Hence on receiving intimation from the Commissioner of Entrance Examinations, after the first phase was over, it was incumbent on the petitioner to visit the website and alter her option so as to be considered in the other colleges also. It is also submitted that her option already exercised would be retained and if any seat in the seven colleges in which, she had opted in the first allotment, falls vacant,

she would be considered on the basis of her rank. But however, the petitioner would not be considered for any other colleges in the second allotment for reason of her not having exercised such option. Going by the specific system of online option confirmation, this Court cannot interfere with the same and the petitioner has only herself to blame for reason of the petitioner having not changed her option, after she was unable to get a seat in the 7 colleges in which she opted in the first phase.

Under those circumstances, the writ petition is found to be devoid of merits and is dismissed.

Sd/-  
**K.VINOD CHANDRAN**  
**JUDGE**

VS