

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

MONDAY, THE 25TH DAY OF MAY 2015/4TH JYAISHTA, 1937

WP(C).No. 24131 of 2013 (N)

PETITIONERS:

1. SANGEETHA THIRUVAL P.P.,
W/O.DR.V.D.RADHAKRISHNAN, KANNANTHARA HOUSE
CHENDAMANGALAM JUNCTION, NORTH PARAVOOR
ERNAKULAM DIST.
2. REMYA.P.,
W/O.SURESH KUMAR V.K., MUNNAD P.O., KASARGOD-671541.
3. NIKHIL C.V.,
S/O.CHANDRAN C.M., MUDUVANA P.O., PAYYOLI ANGADI VIA.
KOZHIKODE-673523.
4. ANJALY.S.,
W/O.ANIL BOSE, GEETHA NIVAS, KIDANGANPARAMBU WARD
THATHAMPALLY P.O., ALAPPUZHA-688013.
5. MANJUSHA.T.,
NAMMILIKKARA HOUSE, PERINGODE P.O., PALAKKAD-679535.
6. SHIHABUDDEEN.K.P.,
S/O.SAITHALI MUSALIYAR.K.P., KOZHIYAMPARAMBATH HOUSE
MULAYANKAVU P.O., KULUKKALLOOR VIA, PALAKKAD-679337.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:

1. STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT
DEPARTMENT OF GENERAL EDUCATION, SECRETARIAT
THIRUVANANTHAPURAM-695001.
2. DIRECTOR OF HIGHER SECONDARY EDUCATION,
THIRUVANANTHAPURAM-695001.
3. DIRECTOR,
LBS CENTRE FOR SCIENCE & TECHNOLOGY
THIRUVANANTHAPURAM-695001.

SRI.NOUSHAD THOTTATHIL, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

RKC

APPENDIX

PETITIONERS' EXHIBITS

P1: COPY OF THE PROSPECTUS ISSUED BY THE 3RD RESPONDENT FOR CONDUCT OF SET JUNE, 2013.

P2: COPIES OF THE ADMIT CARD ISSUED TO THE PETITIONERS.

P3: COPY OF THE RESULT PUBLISHED BY THE 3RD RESPONDENT DOWNLOADED FROM THE OFFICIAL WEBSITE OF LBS CENTRE FOR SCIENCE & TECHNOLOGY.

RESPONDENTS' EXHIBITS: NIL

RKC

TRUE COPY

PA TO JUDGE

P.V.ASHA, J.,

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W.P.(C) No.24131 of 2013
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Dated this the 25th day of May, 2015

JUDGMENT

The petitioners are candidates who appeared in the State Eligibility Test conducted in the academic year 2013. They have secured 119 marks out of 239 for their respective papers. The pass mark is 50%. Claiming that 119 out of 239 has to be treated as 50%, the petitioners approached this Court for a declaration that they have passed the State Eligibility Test.

2. The learned Government Pleader pointed out that the issue raised in this matter is covered by a judgment of this Court against the petitioner.

3. In the judgment dated 23.5.2014 in W.P.(C) No.11743 of 2014, this Court had already considered the very same issue and held that when the actual percentage comes to 49.895%, the percentage of mark is below 50% and therefore the petitioner cannot have any legal right for a declaration as sought for.

In the light of the above judgment on identical issue, this writ petition fails and is dismissed.

Sd/-
P.V.ASHA,
JUDGE.

rkc