

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 27TH DAY OF JULY 2015/5TH SRAVANA, 1937

WP(C).No. 21491 of 2015 (J)

PETITIONER(S):

**TOM KOSHY,
S/O. KOSHY THOMAS, THEEMBALANGATTU HOUSE, 33/8790D,
ARATTUKADAVU ROAD, VENNALA P.O, VYTTLA,
KOCHI 682 028.**

**BY ADVS.SRI.SUBHASH CYRIAC
SMTSHEEBA JOSEPH**

RESPONDENT(S):

- 1. MAHATMA GANDHI UNIVERSITY,
PRIYADARSHINI HILLS, KOTTAYAM,
REPRESENTED BY ITS REGISTRAR 686 560.**
- 2. THE REGISTRAR,
MAHATMA GANDHI UNIVERSITY, PRIYADARSHINI HILLS,
KOTTAYAM 686 560.**
- 3. CONTROLLER OF EXAMINATIONS,
MAHATMA GANDHI UNIVERSITY, PRIYADARSHINI HILLS,
KOTTAYAM 686 560.**
- 4. SACRED HEART COLLEGE,
THEVARA-KOCHI-682 013
REPRESENTED BY ITS THE PRINCIPAL**

R1-3 BY SRI.VARUGHESE M.EASO, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 21491 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 TRUE COPY OF THE REGULATION FOR CHOICE BASED CREDIT
SEMESTER SYSTEM-UNDER GRADUATE PROGRAMMES IN THE
SCHOOL OF DISTANCE EDUCATION 2012**
- EXT.P2 TRUE COPY OF THE JUDGMENT IN W.P(C) NO 18309/13 DATED 30/7/13
THIS HONOURABLE COURT**
- EXT.P3 ORDER OF THE 1ST RESPONDENT DATED 06-09-2013**
- EXT.P4 TRUE COPY OF THE JUDGMENT DATED 17-03-2014 IN WP(C) 25289/13**
- EXT.P5 TRUE COPY OF THE REPRESENTATION DATED 02-07-15**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 21491 of 2015

Dated this the 27th day of July, 2015

J U D G M E N T

The petitioner has approached this Court aggrieved by the non issue of mark list and pass certificate.

2. The petitioner joined for B.Com (Taxation) course as private candidate in the year 2012. The petitioner points out that now, Ext.P1 regulation came into force, by which the private student can study as regular student in colleges under the 1st respondent. According to the petitioner, one seat for B.Com (Taxation) is vacant at the college of the 4th respondent; and the 4th respondent is willing to admit the petitioner in that vacancy. The petitioner applied to the 1st respondent for change of the mode of education; and permission was granted; and he joined the 4th respondent as regular student. Though he paid the fee for the examination of 3rd semester of B.Com (Taxation) course, his name is not registered for the examination; it is alleged. Hence, this writ petition.

3. Heard the learned counsel for the petitioner and the

learned Standing Counsel for the respondent university.

4. The learned Standing Counsel for the respondent university, on instructions, submitted that the valuation is over and the mark lists are ready. However, some procedure formalities have to be completed. It was further submitted that if the petitioner makes an application for confidential mark list, he shall be provided with the same.

Therefore, the writ petition is disposed of permitting the petitioner to approach the respondent university with an application for having confidential mark list through the institution concerned, i.e., the 4th respondent; and in the event of filing such an application, the same shall be made available to CMA - Cost & Management Accountant, ICAI - The Institute of Cost Accountants of India, Cochin Chapter, ICWAI Bhavan, Judges Avenue, Kochi - 17, within a period of three days from the date of making the application.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-