

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 19TH DAY OF AUGUST 2015/28TH SRAVANA, 1937

WP(C) .No. 22837 of 2015 (D)

PETITIONER(S) :

UNNIMAYA K.M. ,
AGED 17 YEARS,
REPRESENTED BY HER FATHER MANI K.K. , S/O.KUNJAPPU,
KANNOOTH HOUSE, POOTHADI P.O. , KENICHIRA,
WAYANAD DISTRICT- 673 596.

BY ADV. DR.GEORGE ABRAHAM.

RESPONDENT(S) :

1. KANNUR UNIVERSITY,
REPRESENTED BY ITS REGISTRAR,
KANNUR, KERALA STATE, PIN-670 567.
2. THE REGISTRAR,
KANNUR UNIVERSITY,
KANNUR PIN-670 567.
3. THE PRINCIPAL,
GOVERNMENT COLLEGE, MANANTHAWADI,
NALLOORNAD P.O. ,
WAYANAD DISTRICT PIN-670 645.

BY SRI.V.A.MUHAMMED, SC, KANNUR UNIVERSITY.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
19-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXHIBIT P1. COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER.
- EXHIBIT P2. COPY OF THE CAST CERTIFICATE ISSUED BY THE VILLAGE OFFICER DATED 15.7.15.
- EXHIBIT P3. COPY OF THE DEFECT MEMO ISSUED BY THE PRINCIPAL DATED 24.7.15.
- EXHIBIT P4. COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 24.7.15.
- EXHIBIT P5. COPY OF THE PRINT OUT TAKEN FROM THE WEBSITE OF KANNUR UNIVERSITY.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.V.RAMAKRISHNA PILLAI, J.

W.P.(C)No.22837 of 2015

Dated this the 19th day of August, 2015.

J U D G M E N T

The petitioner is seeking a direction to the 3rd respondent to reserve one seat for the B.Com Degree Course available at Government College, Mananthawadi.

2. The petitioner was an applicant for the B.Com degree course under the Centralised Admission Procedure of the Kannur University. The petitioner got 89.42 percentage of marks in the Higher Secondary Examinations. She had an index mark of 1278.6, so far as B.Com degree is concerned. The petitioner, belongs to Thiyya community, which is coming under O.B.C. The petitioner alleges that, in the selection procedure, the petitioner correctly entered the Caste status as Thiyya. In the Caste category column, instead of O.B.C., she entered OBH. Going by the marks obtained by the petitioner, she is entitled for admission for

B.Com degree course under O.B.C. Category. At the time of joining the course, the Principal of Government College, Mananthawadi, detected the defect and a defect memo was issued to the petitioner. The petitioner immediately filed an application for correction of the mistake before the 1st respondent. The said application is pending consideration before the 1st respondent. The 3rd allocation is scheduled to be held on 28.7.2015 ; it is alleged. It is with this backdrop, the petitioner has approached this Court.

2. I have heard the learned counsel for the petitioner, the learned Standing counsel for the respondent University and the learned Government Pleader in the matter.

3. As the learned counsel for the petitioner confined his arguments to a limited prayer for a direction to the 2nd respondent to consider Ext.P4 within a time frame, this writ petition is disposed of directing the 2nd respondent to consider and pass orders on Ext.P4 after affording to the petitioner an opportunity of being heard, within a period of 2

weeks of receipt of copy of this judgment. Till that time the 3rd respondent shall not fill up one seat reserved for B.Com degree course available at the Government College, Mananthawadi, as per the interim order dated 29.7.2015. However, it is made clear that the same shall be subject to the final outcome of the decision taken by the 2nd respondent in the matter.

Sd/-
A.V.RAMAKRISHNA PILLAI,
Judge.

ami/

//True copy//

P.A. to Judge