

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

WP(C).No. 26832 of 2012 (D)

PETITIONER(S):

NIMMI.K., AGED 26 YEARS
D/O.NEELAKANDAN NAIR, KANAYATH HOUSE, ANANDAPURAM
NELLAYI P.O., THRISSUR DISTRICT.

BY ADV. SRI.T.MADHU

RESPONDENT(S):

1. THE HINDI PRACHAR KENDRA,
COLLEGE OF EDUCATION, KODUNGALLUR, THRISSUR DISTRICT
PIN - 670 676, REPRESENTED BY ITS PRINCIPAL.

2. THE NATIONAL COUNCIL FOR TEACHER EDUCATION,
REPRESENTED BY ITS SECRETARY, NEW DELHI - 750 001.

3. THE UNIVERSITY OF CALICUT,
REPRESENTED BY ITS REGISTRAR
CALICUT UNIVERSITY P.O., MALAPPURAM DISTRICT.

4. THE LAL BAHADUR SASTHRI CENTER FOR SCIENCE AND
TECHNOLOGY,
EXTRA POLICE STATION ROAD, NANDAVANAM
THIRUVANANTHAPURAM - 695 033.

5. THE STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT
EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM - 695 001.

RR-R4 BY ADV. SRI.P.B.SURESH KUMAR (SR.)
RR-R4 BY ADV. SRI.LEO GEORGE
RR1 BY ADV. SRI.A.K.CHINNAN
RR2 BY ADV. SRI.V.M.KURIAN, SC, SRC-NCTE
R4 BY ADV. SMT.K.K.RAZIYA, SC, LBS CENTRE
R BY GOVERNMENT PLEADER
R BY SRI.SANTHOSH MATHEW, SC, CALICUTY UNIVERS

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
03-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.V.RAMAKRISHNA PILLAI, J.

W.P.(C) No.26832 of 2012

Dated this the 3rd day of March, 2015

JUDGMENT

The petitioner is the holder of B.A. Degree in English Literature from the 3rd respondent University, and secured an aggregate of 50.25% of marks in her degree course. The petitioner alleges that as per the norms and standards prescribed by the 2nd respondent, the candidate who secures an aggregate of 50% marks for his Degree subject are eligible for admission for Bachelor of Education Degree Course.

2. The grievance of the petitioner is that though she attempted to join for Bachelor of Education degree course with the 1st respondent college, the 1st respondent did not admit her pointing out that in the prospectus issued by the 5th respondent in consultation with the 4th respondent, the candidate who seeks admission for Bachelor of Education degree course should secure an aggregate of 50% marks for his Part-III

subjects. According to the petitioner, the 5th respondent is not having any authority to prescribe the qualification for admission to Bachelor of Education course in super session of the qualifications prescribed by the 2nd respondent. It is with this background, the petitioner has come up before this Court.

3. Today, the matter came up for hearing, the learned counsel for the respondent invited my attention to the decision of this Court in **Muhammed Adbussathar V.K. v University of Kerala** 2013 (4) KHC 857, where in it was observed that standards prescribed by NCTE and the University providing for 50% marks each in the main and subsidiary subjects of graduate study is with a view of raising of standards. Hence, the students who have not obtained 50% marks in Part III, where English as the main subject, are not eligible for admission to B.Ed English Language and Literature. It was submitted by the learned counsel for the respondent that the said decision though taken in appeal before the Division Bench was confirmed by the

Division Bench.

As the issue has been settled against the petitioner, following the decision in Muhammed Abdussathar's case (cited supra), this writ petition is dismissed. No costs.

Sd/-
A.V.RAMAKRISHNA PILLAI
JUDGE

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PA. TO JUDGE