

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

WP(C).No. 29540 of 2008 (N)

PETITIONER :

**ELIAMMA.P.T.,C/O.PROVINCIAL SUPERIOR,
S.H.CONVENT, THUNDIYIL P.O., PERAVOOR,
KANNUR - 670 673.**

BY ADV. SMT.K.V.RESHMI

RESPONDENT(S):

- 1. THE CALICUT UNIVERSITY,
REPRESENTED BY ITS REGISTRAR, MALAPPURAM.**
- 2. THE CONTROLLER OF EXAMINATIONS,
PAREEKSHA BHAVAN, CALICUT UNIVERSITY,
MALAPPURAM.**
- 3. C.K.RAGHAVAN MEMORIAL COLLEGE OF
TEACHERS EDUCATION, KALANADYKOLLY P.O., PULPALLY,
WAYANAD DISTRICT, REP. BY ITS PRINCIPAL.**
- 4. STATE OF KERALA,
REP. BY ITS SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.**

**R1 & R2 BY ADV. SRI.SANTHOSH MATHEW,SC,CALICUTY UNIVERSITY
R4 BY GOVERNMENT PLEADER**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 30-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE DECREE CERTIFICATE ISSUED BY THE UNIVERSITY OF MYSORE DATED 16/01/2006**
- P2 COPY OF THE COMMUNICATION DATED 03/09/2008 ISSUED IN THE NAME OF THE 3RD RESPONDENT.**
- P3 COPY OF THE CERTIFICATE ISSUED BY THE 1ST RESPONDENT DATED 22/04/2006**
- P4 COPY OF THE REQUEST DATED 8/9/2008 SUBMITTED BEFORE THE 1ST RESPONDENT**
- P5 COPY OF THE CERTIFICATE ISSUED TO AN IDENTICALLY PLACED CANDIATE DATED 15/07/2005 BY THE 1ST RESPONDENT**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

K.VINOD CHANDRAN, J

W.P.(C).No. 29540 of 2008

Dated 30th January, 2015

JUDGMENT

The petitioner obtained a Tripple Main Graduate degree from the University of Mysore as is evident from Ext.P1. The graduate course undertaken by the petitioner had three main subjects, being Kannada, History and Geography. The petitioner got herself admitted to B.Ed Course, conducted by the Calicut University, through an affiliated college, with the optional subject 'Social Science'. However, just prior to the examination, the Controller of Examinations issued Ext.P2 communication stating that with respect to the petitioner there should be a certificate from any of the Universities in Kerala stating that the qualifying examination is recognized for seeking admission to the B.Ed degree course in a particular optional subject as directed in the Government prospectus.

2. The petitioner relies on Exts.P3 and P5 which are stated to be the certificates issued by the respondent University itself. The learned Standing Counsel, however, refutes the efficacy of such certificates for the specific purpose of seeking admission to the B.Ed course. Reliance is placed on a clause in the 'Prospectus for admission to B.Ed Courses-2007', issued by the Commissioner of Entrance Examinations, Thiruvananthapuram, a copy of which is handed over across the bar by the learned counsel for the petitioner.

3. Specification is found in clause 5.2.1 which is extracted hereunder :-

“Double or Tripple main Candidates or candidates who passed the Degree Examination in Vocational or Specialized Courses under any scheme of Kerala University and other Universities are also eligible for admission. However, they have to submit copy of the Equivalency/Eligibility certificate from any of the Universities in Kerala, stating that, their Qualifying examination is recognized for seeking admission to B.Ed Degree Course in a particular optional

subject/in a stream as applicable, along with their application”

4. Specifically the equivalency/eligibility certificate was as directed to be produced in Ext.P2 communication of the Controller of Examinations. Exts.P3 and P5, hence, would be of no avail. The petitioner, hence, would have to make an application before the University, in the prescribed form, as per the Regulations, specifically seeking equivalency/eligibility certificate to the course 'Tripple main graduate degree', which the petitioner obtained from the University of Mysore, specifying that she is, on the strength of either of the main subjects, entitled to be admitted to the B.Ed course in 'Social Science'.

5. The petitioner, if makes such an application within one month from today along with the syllabus of the graduate course, the University shall consider it through its appropriate statutory

body within a period of two months thereafter. Award of B.Ed to the petitioner shall be subject to such decision. It is also made clear that the petitioner could produce such an equivalency certificate as is specified in the prospectus from any of the Universities in Kerala in which event, the respondent University would be obliged to grant her the B.Ed degree certificate, especially since the petitioner has been permitted to write the examination, by virtue of the interim order of this Court.

The writ petition is disposed of. Parties are left to suffer their respective costs.

Sd/-

K.VINOD CHANDRAN
Judge

Mrcs

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