

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937

WP(C).No. 25982 of 2015 (W)

PETITIONER :

**RUXANA SHAJI, AGED 23 YEARS, W/O. SHAJI,
RESIDING AT SEENA MANZIL, KADAKKAL, KADAKKAL.P.O.,
KOLLAM DISTRICT.**

BY ADV. SRI.V.A.AJIVAS

RESPONDENT(S):

- 1. THE VICE CHANCELLOR,
UNIVERSITY OF KERALA, THIRUVANANTHAPURAM-695 001**
- 2. KERALA UNIVERSITY, THIRUVANANTHAPURAM,
REPRESENTED BY THE REGISTRAR, PIN-695 001**
- 3. THE EXAMINATION CONTROLLER, UNIVERSITY OF KERALA,
THIRUVANANTHAPURAM-695 001**
- 4. THE PRINCIPAL, GOVT. LAW COLLAGE,
THIRUVANANTHAPURAM-695 003**
- 5. THE DIRECTOR, CREDENCE HOSPITAL PVT LTD.,
ULLOOR, THIRUVANANTHAPURAM-695 011**

R1 TO R3 BY SRI.BECHU KURIAN THOMAS, SC, UNIVERSITY OF KERALA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).NO.25982/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE IDENTITY CARD OF GOVT. LAW COLLAGE,
 THIRUVANANTHAPURAM.**
- P2 COPY OF THE MEDICAL CERTIFICATE OF 5TH RESPONDENT HOSPITAL
 DATED 12/08/2015**
- P3 COPY OF THE REPRESENTATION SENT BY THE PETITIONER BEFORE THE
 1ST RESPONDENT DATED 13/08/2015.**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.S.TO JUDGE

sts

A.V.RAMAKRISHNA PILLAI, J

WPC No.25982 of 2015

Dated this the 21st day of August, 2015

JUDGMENT

The petitioner is seeking a direction against the respondents 1 and 2 to permit the petitioner to appear for the 8th semester examination of 5 year LL.B. Degree course which commenced from 10th September 2015.

2. The petitioner is a student of 5 year LL.B. Degree course conducted in 4th respondent under the second respondent University. The petitioner is enrolled 2011-2012 of 5 year LLB Degree batch and has completed seventh semester of the course.

3. According to the petitioner, she had successfully completed 7th semester. During this time, the petitioner's marriage happened. Due to the complications of first delivery, the petitioner was admitted in the 5th respondent hospital and was

treated there from July 2014.

4. According to the petitioner, the petitioner had successfully completed her 7th semester without any attendance shortage and eligible for the 8th semester. The petitioner points out that Ext.P2 Medical Certificate, the petitioner was suffering hypertension in February 2015 and she was advised rest till delivery. Due to that reason, the petitioner lost some classes of 8th semester; it is alleged.

5. According to the petitioner the 8th semester 5 year LLB class started on 21.2.2015. On several occasions, the petitioner tried to attend the classes and one time due to her poor physical condition, she was admitted in the 5th respondent hospital from the college. According to the petitioner, she does not have any shortage of attendance in previous semesters. She successfully completed all her semesters except 8th semester.

6. According to the petitioner, the 8th semester examination is declared and it is scheduled to be

held on 10.9.2015. The petitioner alleges that she was orally instructed by the 4th respondent not to remit exam fee for 8th semester examination, since the petitioner does not have the requisite attendance in 8th semester. The petitioner filed a representation before the respondents 1 to 3. However, the respondents have not considered the application yet and the petitioner was not allowed to remit the fees. According to the petitioner, one academic year of the petitioner would be lost due to lapse on the part of the persons under the management and control of the first respondent. It is with this background, the petitioner has come up before this Court.

7. I have heard the learned counsel for the petitioner and the learned standing counsel for the respondent University.

8. The learned standing counsel for the respondent University, on instructions, submitted that Ext.P3 application of the petitioner is pending

before the Vice Chancellor.

Therefore, this writ petition is disposed of directing the first respondent to consider Ext.P3 application, after affording the petitioner an opportunity of being heard on or before 5th September 2015, in accordance with law.

**sd/-A.V.RAMAKRISHNA PILLAI
JUDGE**

CSS/

true copy

P.S.TO JUDGE