

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

WP(C).No. 27728 of 2015 (M)

PETITIONER:

**RAMEESA.S, D/O. SHANAVAS, "SUBAH", NBRA 125,
NETAJI BOSE ROAD, NANTHANCODE, KOWDIAR P.O,
THIRUVANANTHAPURAM - 695 003.**

**BY ADVS.SRI.SUMAN CHAKRAVARTHY
SMT.K.R.RIJA**

RESPONDENT(S):

- 1. THE STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
HIGHER EDUCATION DEPARTMENT,
GOVT. SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. THE SECRETARY TO GOVT,
HEALTH AND FAMILY WELFARE DEPARTMENT,
GOVT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**
- 3. THE COMMISSIONER OF ENTRANCE EXAMINATIONS
KERALA, HOUSING BOARD BUILDINGS,
SANTHI NAGAR, THIRUVANANTHAPURAM - 695 001.**
- 4. THE PRINCIPAL,
GOVERNMENT MEDICAL COLLEGE,
THIRUVANANTHAPURAM - 695 001.**

BY GOVERNMENT PLEADER SRI.ROSHAN D.ALEXANDER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

EXHIBIT P1 : A TRUE COPY OF THE ALLOTMENT MEMO DATED 26/6/2015.

EXHIBIT P2 : A TRUE COPY OF THE ADMISSION CHIT DATED 29/7/2015.

**EXHIBIT P3 : A TRUE COPY OF THE RECEIPT OF PAYMENT TO TRIVANDRUM
MEDICAL COLLEGE ALUMNI ASSOCIATION.**

EXHIBIT P4 : A TRUE COPY OF THE RECEIPT OF PAYMENT TO PTA.

**EXHIBIT P5 : A TRUE COPY OF THE RECEIPT REGARDING PAYMENT OF LIBRARY
FEE.**

EXHIBIT P6 : A TRUE COPY OF THE ALLOTMENT MEMO DATED 9/9/2015.

**EXHIBIT P7 : A TRUE COPY OF THE REPRESENTATION DATED 11/9/2015 TO THE
THIRD RESPONDENT.**

**EXHIBIT P8 : A TRUE COPY OF THE REPRESENTATION DATED 11/9/2015 TO THE
2ND RESPONDENT.**

**EXHIBIT P9 : A TRUE COPY OF THE REPRESENTATION DATED 11/9/2015 TO THE
1ST RESPONDENT.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 27728 of 2015

Dated this the 28th day of September, 2015

J U D G M E N T

Petitioner secured rank number 151 in the Entrance Examination for Professional courses in Medical and Allied courses.

2. The petitioner was allotted seat in the Thiruvananthapuram Medical College. The petitioner by inadvertent mistake opted for Ayurveda as well. Thereafter, the petitioner's admission to the Medical College has been cancelled.

3. The petitioner approached this Court stating that petitioner's option for Ayurveda is on account of mistake. She is already admitted in the classes for M.B.B.S. course. This Court issued the following orders on 17.9.2015:-

“If any vacancy arises in Thiruvananthapuram Govt.Medical College, it shall be kept vacant. If no vacancy is available in the above said college, one of the seats in any other Govt.Medical College shall be kept vacant”

The allocation of the petitioner's seat in Ayurveda also has been cancelled pursuant to the direction of this Court.

4. Though the learned Government Pleader submitted that the petitioner is bound to move out based on option, this Court is of the view that this is a matter of pure human error and though this cannot be treated as precedent, considering the peculiar circumstance of the case, the petitioner shall be permitted to continue at the Govt. Medical College, Thiruananthapuram and the particular seat now kept vacant shall be allotted to the petitioner.

This writ petition is disposed of as above.

SD/-

A.MUHAMED MUSTAQUE,
Judge

MBS/

WP(C)NO.27728 OF 2015

:-3-:

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