

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

WP(C).No. 28854 of 2015 (F)

PETITIONER(S):

**VISHNU GOPAL, AGED 17 YEARS,
S/O.SREEDEVI, REPRESENTED BY HIS MOTHER SREEDEVI,
VAYALILPARAMBIL HOUSE, POONJAR P.O., POONJAR,
MEENACHAL TALUK, KOTTAYAM DISTRICT, PIN- 686 581.**

**BY ADVS.SRI.K.JAISHANKAR,
SRI.C.K.SUNIL.**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM, KERALA- 695 001.**
- 2. CONVENER,
THE SCREENING COMMITTEE OF COMMISSIONER
OF ENTRANCE EXAMINATIONS,
HOUSING BOARD BUILDINGS, SANTHI NAGAR,
THIRUVANANTHAPURAM -695 001.**
- 3. VIGILANCE OFFICER,
VIGILANCE CELL, DIRECTORATE OF KIRTADS,
KOZHIKODE -673 017.**

BY SPL. GOVT. PLEADER SMT.P.K. SANTHAMMA.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- P1: THE TRUE PHOTOCOPY OF THE CASTE CERTIFICATE ISSUED BY THE TAHSILDAR, MEENACHIL TALUK DATED 17.01.2015.
- P2: THE TRUE PHOTOCOPY OF THE LETTER DATED 20.04.2015 ISSUED FROM THE OFFICE OF THE 2ND RESPONDENT.
- P3: THE TRUE PHOTOCOPY OF THE LETTER DATED 26.05.2015 ISSUED FROM THE OFFICE OF THE 3RD RESPONDENT.
- P4: THE TRUE PHOTOCOPY OF THE STATEMENT BY PETITIONER'S MOTHER BEFORE THE 3RD RESPONDENT ON 30.05.2015.
- P5: THE TRUE PHOTOCOPY OF THE PERFORMA SO FILED UP AND SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.
- P6: THE TRUE PHOTOCOPY OF THE PETITIONER'S EXTRACT OF THE ADMISSION REGISTER OF ST. JOSEPH'S UP SCHOOL, POONJAR.
- P7: THE TRUE PHOTOCOPY OF THE CERTIFICATE DATED 29.05.2015 ISSUED BY BHARATHIYA VELAN SOCIETY.
- P8: THE TRUE PHOTOCOPY OF THE COMMUNITY CERTIFICATE DATED 29.05.2015 OF PETITIONER'S MOTHER ISSUED BY TAHSILDAR, MEENACHIL TALUK.
- P9: THE TRUE PHOTOCOPY OF THE LETTER DATED 16.06.2015 ISSUED FROM THE OFFICE OF THE 2ND RESPONDENT.
- P10: THE TRUE PHOTOCOPY OF THE ANTHROPOLOGICAL REPORT DATED 12.06.2015 SUBMITTED BY THE 3RD RESPONDENT.
- P11: THE TRUE COPY OF THE JUDGMENT DATED 01.06.2010 IN WP(C).NO. 17546/2006.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 28854 of 2015

Dated this the 7th day of October, 2015

J U D G M E N T

Petitioner, an applicant for professional courses, has approached this Court aggrieved by the Anthropological Report of KIRTADS. Petitioner's claim for Scheduled Caste status was referred to the KIRTADS by the Entrance Commissioner to determine the caste of the petitioner. The petitioner claims that he belongs to Velan Community. The KIRTADS found that the petitioner does not belong to Velan Community. Ext.P10 is the report.

2. This Court is of the view that the petitioner has to work out his statutory remedy under the Kerala (SC & ST) Regulation of Issue of Community Certificates Act,1996 [Act 11 of 1996] before the Scrutiny Committee. If the petitioner approaches the Scrutiny Committee, that shall be considered by the Scrutiny Committee within three months from the date of receipt of a copy of this

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judgment. Petitioner is free to adduce necessary evidence before the Scrutiny Committee.

This writ petition is disposed of as above.

sd/-
A.MUHAMED MUSTAQUE,
Judge

MBS/

WP(C).NO. 28854 OF 2015

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