

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 24TH DAY OF FEBRUARY 2015/5TH PHALGUNA, 1936

WP(C).No. 35036 of 2009 (Y)

PETITIONER(S):

1. **AJEESH P., 3RD YEAR ANATOMY,
SCHOOL OF MEDICAL EDUCATION,
M.G.UNIVERSITY, KOTTAYAM.**
2. **JEENA SUSAN MATHEW,
3RD YEAR ANATOMY, SCHOOL OF MEDICAL EDUCATION,
M.G.UNIVERSITY, KOTTAYAM.**
3. **ANJALA S.,
3RD YEAR ANATOMY, SCHOOL OF MEDICAL EDUCATION,
M.G.UNIVERSITY, KOTTAYAM.**
4. **JISHA M.K.,
3RD YEAR ANATOMY, SCHOOL OF MEDICAL EDUCATION,
M.G.UNIVERSITY, KOTTAYAM.**
5. **MOHAMMED FAIZAL,
3RD YEAR ANATOMY, SCHOOL OF MEDICAL EDUCATION,
M.G.UNIVERSITY, KOTTAYAM.**
6. **PRINCY JACOB,
3RD YEAR ANATOMY, SCHOOL OF MEDICAL EDUCATION,
M.G.UNIVERSITY, KOTTAYAM.**
7. **ROHINI JAYAPRAKASH,
3RD YEAR ANATOMY, SCHOOL OF MEDICAL EDUCATION,
M.G.UNIVERSITY, KOTTAYAM.**
8. **REMYA REMESH,
3RD YEAR ANATOMY, SCHOOL OF MEDICAL EDUCATION,
M.G.UNIVERSITY, KOTTAYAM.**

BY ADV. SRI.GEORGE POONTHOTTAM

RESPONDENT(S):

1. **M.G.UNIVERSITY,
REPRESENTED BY THE REGISTRAR, KOTTAYAM.**
2. **THE CONTROLLER OF EXAMINATIONS,
M.G.UNIVERSITY, KOTTAYAM.**

BY ADV. SRI.VARUGHESE M.EASO, SC, M.G. UNIVERSITY

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
24-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 35036 of 2009 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1: TRUE COPY OF THE NOTIFICATION NO.EAI/1/47/07 DATED 10.11.2009.

EXT.P2: TRUE COPY OF THE NOTIFICATION NO.EAI/1/47/2004 DATED 25.11.2009.

EXT.P3: TRUE COPY OF THE APPLICATION GIVEN BY THE PETITIONERS.

**EXT.P4: TRUE COPY OF THE REPRESENTATION DATED 30.11.2009 GIVEN TO THE
2ND RESPONDENT.**

**EXT.P5: TRUE COPY OF THE REPRESENTATION DATED 30.11.2009 GIVEN TO THE
DIRECTOR, SME.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

K. Vinod Chandran, J.

W.P(C) No.35036 of 2009-Y

Dated this the 24th day of February, 2015

JUDGMENT

The petitioners were all students of M.Sc. Degree course in Medical Anatomy in the School of Medical education run by the Mahatma Gandhi University. The petitioners admittedly were enrolled in a three year course, which course commenced in the year 2006. Prior to the said admissions, the course was of a two year duration. In any event, the 1st, 2nd and 3rd year examinations of the course which commenced in the year 2006 were held respectively in January, June and December, 2009. The petitioners who appeared in the 1st year examinations failed and sought for appearance in the examinations of the 1st year then scheduled for the 2007 batch.

2. However, the University opposed the same on the ground that the syllabi for the 1st year course of the 2006 year batch of students is different from the syllabi for the year 2007 and the examinations then scheduled to be conducted is for the 2007 batch admissions. This Court examined the syllabi at the time of consideration of interim application and found that the University's

contention is correct. This Court, hence, rejected the interim prayer for admission to the 1st year examinations then scheduled.

3. But, however, this Court also by order dated 09.12.2009 directed a supplementary first year M.Sc. Medical Anatomy Degree Examinations to be conducted for the 2006 batch students, including the petitioners. In view of the said directions issued as an interim order, nothing survives in the writ petition. The writ petition would stand dismissed; however, making the interim order absolute.

Sd/-

K. Vinod Chandran,
Judge

vkul

[true copy]