

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

WP(C).No. 34629 of 2008 (V)

PETITIONER(S):

1. SHAFEEQ.K, SHAHUL HAMEED, AL-AFIYA,
PUZHAPAGIRI, P.O., TALIPARAMBA
KANNUR.
2. ROOPAL LAKSHMAN, NANDANAM, RAM MOHAN
ROAD, CALICUT-4.
3. SHAFEENA.T.K, SHAFFI GHER (H),T.B.ROAD,
KOTTAYAM-686 039.
4. NASREEN MOHAMMED, RAHMA(H),P.O.
KARUVAPANTOYIL, VIA KODUVALLY,CALICUT-673572.
5. ASAF ABOOBAKKER, THALIKULAM HOUSE,
THARAYIL HOUSE, P.O.VELLANGALLOOR, THRISSUR.
6. DAVEENA.M.SUKUMARAN, MALAYANAGATH HOUSE,
JAHANARAPUTHUR STREET, PERINTHALMANNA, MALAPPURAM.
7. SHAHIN.V.R, ARUNIMA HOUSE, KOTTOMKODE.PO
THIRUVANANTHAPURAM.
8. NASREEN.M.S, SHAHEEDA COTTAGE,
KALLAMPALAM.P.O, THIRUVANANTHAPURAM-659605.
9. SANITHA P.SANKARAN, CHINGOMTHARAYIL
HOUSE, THIRUMALABHAGOM.P.O, THURAVOOR
CHERTHALA, ALAPPUZHA-688 540.

BY ADV. SRI.GEORGE POONTHOTTAM

CONTD .. 2 ..

WP(C).No. 34629 of 2008 (V)

RESPONDENT(S):

1. THE KANNUR UNIVERSITY, REPRESENTED BY
ITS REGISTRAR, MANGATTUPARAMBA, KANNUR.
2. THE CONTROLLER OF EXAMINATIONS,
KANNUR UNIVERSITY, MANGATTUPARAMBA, KANNUR.
3. THE PRINCIPAL, CENTURY INTERNATIONAL
INSTITUTE OF DENTAL SCIENCE AND RESEARCH CENTRE
POINACHI.P.O, THEKKIL VIA, CHENGALA
KASARAGOD-671 541.

ADDITIONAL RESPONDENT:

R4. THE VICE CHANCELLOR
UNIVERSITY OF KANNUR
KANNUR.

(ADDL.R4 IMPEADED VIDE ORDER DTD. 16.6.09 IN I.A NO. 7241/09).

R,R1-2 BY ADV. SRI.M.SASEENDRAN,SC,KANNUR UNIVERSITY
R BY ADV. SRI. V.A MUHAMMED, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 19-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS:

- EXT.P1 COPY OF THE REGULATION EVIDENCING THE CURRICULUM AND SCHEME OF EXAMINATION ETC.**
- EXT.P2 COPY OF THE LETTER SENT BY THE PRINCIPAL DTD. 25.10.08.**
- EXT.P3 COPY OF THE LETTER DTD.22.11.08 SENT BY THE PRINCIPAL.**
- EXT.P4 COPY OF THE JUDGMENT OF THE HONOURABLE HIGH COURT IN W.P(C) 22752 OF 2008.**
- EXT.P5 COPY OF T HE COMMUNICATION ISSUED BY THE UNIVERSITY GRANTING REGISTRATION TO THE PETITIONERS FOR APPEARING IN THE EXAMINATION DTD. 26.11.08.**
- EXT.P6 COPY OF THE NOTIFICATION ISSUED BY THE UNIVERSITY IN MALAYALA MANORAMA DAILY DTD. 7.4.09.**
- EXT.P7 COPY OF THE REPRESENTATION GIVEN TO THE VICE CHANCELLOR ON 15.6.09.**

RESPONDENTS EXHIBITS:

- EXT.R1(a) COPY OF THE JUDGMENT IN W.P.C. NO. 19976 OF 2008 DTD. 2.7.08.**
- EXT.R1(b) COPY OF THE JUDGMENT IN W.A NO. 1393 OF 2008 DTD. 4.7.08.**
- EXT.R1(c) COPY OF THE JUDGMENT DTD. 28.1.08 IN WPC 2856 OF 2008.**
- EXT.R1(d) COPY OF THE JUDGMENT IN W.A NO. 1342 OF 2007.**

// TRUE COPY //

PA to Judge

SB

K. VINOD CHANDRAN, J.

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W.P.(C) No.34629 of 2008 - V

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Dated this the 19th day of February, 2015

J U D G M E N T

The prayer in the writ petition was to permit the petitioners to appear in the second year B.D.S final Part-II examination without having qualified in the Part-I examinations. However, this Court by an order dated 21.04.2009 directed the respondent University to provisionally admit the petitioners, and the same was subject to the result of the writ petition. However, by an order dated 16.06.2009, this Court directed the Vice Chancellor to consider the matter. In such circumstance, the provisional appearance of the petitioners would have to be subject to the decision of the Vice Chancellor.

Hence, the writ petition would stand closed, leaving open the contentions of either parties.

Sd/-
K. VINOD CHANDRAN,
JUDGE

SB

// true copy //

P.A to Judge