

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

W.P.(C).No.31348 of 2014 (P)

PETITIONER(S):-

DARSANA, AGED 22 YEARS, D/O.DASAN,
PUTHUSSERY HOUSE, IRINJALAKUDA NORTH P.O.,
THRISSUR DISTRICT.

BY ADVS.SRI.RENJITH THAMPAN (SENIOR ADVOCATE)
SMT.P.R.REENA.

RESPONDENT(S):-

1. UNIVERSITY OF CALICUT,
CALICUT UNIVERSITY P.O., MALAPPURAM DISTRICT-673 635,
REPRESENTED BY ITS REGISTRAR.

2. COMPTROLLER OF EXAMINATIONS,
UNIVERSITY OF CALICUT, MALAPPURAM DISTRICT-673 635.

R1 & R2 BY STANDING COUNSEL SRI.SANTHOSH MATHEW.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
06-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS:-

- EXT.P1. TRUE COPY OF THE MARKSHEET OF THE PETITIONER FOR EXAMINATION OF B.SC MARCH-APRIL 2013.
- EXT.P2. TRUE COPY OF THE CERTIFICATE DATED 27/8/2013 OF UNIVERSITY OF CALICUT.
- EXT.P3. TRUE COPY OF THE CERTIFICATE DATED 16/8/2013 ISSUED BY THE UNIVERSITY OF CALICUT.
- EXT.P4. TRUE COPY OF THE COVERING LETTER DATED 14/10/2013.
- EXT.P5. TRUE COPY OF THE OPTIN REGISTRATION FORM OF ADMISSION TO B.ED COURSE-2013.
- EXT.P6. TRUE COPY OF THE ALLOTMENT MEMO DATED 11/1/2013 OF LBS CENTRE FOR SCIENCE AND TECHNOLOGY, TRIVANDRUM.
- EXT.P7. TRUE COPY OF THE HALL TICKER ISSUED TO THE PETITIONER BY THE UNIVERSITY OF CALICUT.
- EXT.P8. TRUE COPY OF THE RESULT IN THE WEBSITE OF THE UNIVERSITYOF CALICUT FOR B.ED EXAMINATION.
- EXT.P9. TRUE COPY OF THE LETTER DATED 30/10/2014 FILED BY THE PETITIONER BEFORE THE REGISTRAR.

RESPONDENT(S)' EXHIBITS:-

NIL.

Vku/-

(true copy)

K. Vinod Chandran, J

W.P.(C).No.31348 of 2014-P

Dated this the 06th day of February, 2015

JUDGMENT

The petitioner obtained a B.Sc graduate degree from Osmania University. The graduate course undertaken by the petitioner has three main subjects, being Genetics, Chemistry and Microbiology. The petitioner got herself admitted to B.Ed Course, conducted by the Calicut University, through an affiliated college, with the optional subject 'Natural Science'. However, after the 1st semester examination results were published, the result of the petitioner was withheld, since the petitioner had not obtained a certificate from any of the Universities in Kerala stating that the qualifying examination is recognized for seeking admission to the B.Ed degree course in a particular optional subject as directed in the Government prospectus. The petitioner has produced Exhibit P3, on which reliance is placed to contend that the respondent-University itself has approved the B.Sc Tripple Main awarded by the Osmania University only on the condition that the same should be after regular study.

2. The learned Standing Counsel, however, refutes the efficacy of such certificates for the specific purpose of seeking admission to the B.Ed course. Reliance is placed on a specific clause in the “Prospectus for admission to B.Ed Courses”, issued by the Commissioner of Entrance Examinations, Thiruvananthapuram, a copy of which is handed over across the bar by the learned counsel for the petitioner.

3. Specification is found in clause 5.2.1 which is extracted hereunder :-

“Double or Tripple main Candidates or candidates who passed the Degree Examination in Vocational or Specialized Courses under any scheme of Kerala University and other Universities are also eligible for admission. However, they have to submit copy of the Equivalency/Eligibility certificate from any of the Universities in Kerala, stating that, their Qualifying examination is recognized for seeking admission to B.Ed Degree Course in a particular optional subject/in a stream as applicable, along with their application”.

4. In such circumstance, Exhibit P3 would be of no avail. The petitioner, hence, would have to make an application before the University, in the prescribed form, as per the Regulations, specifically seeking equivalency/eligibility certificate to the course 'Tripple main graduate degree', which the petitioner obtained from the University of Osmania, specifying that she is, on the strength of

either of the main subjects, entitled to be admitted to the B.Ed course in 'Natural Science'.

5. The petitioner, if makes such an application within one month from today along with the syllabus of the graduate course, the University shall consider it through its appropriate statutory body within a period of two months thereafter. Award of B.Ed to the petitioner shall be subject to such decision. It is also made clear that the petitioner could produce such an equivalency certificate as is specified in the prospectus from any of the Universities in Kerala in which event, the respondent-University would be obliged to grant her the B.Ed degree certificate, especially since the petitioner has been permitted to write the examination, by virtue of the interim order of this Court.

The writ petition is disposed of. Parties are left to suffer their respective costs.

Sd/-
K.Vinod Chandran
Judge.

vku/-

(true copy)