

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

WP(C).No. 31312 of 2015 (L)

PETITIONER:

**INDU SHEKHAR R., AGED 23 YEARS
PANNIPUZHAYIL HOUSE
EDYARANMULA WEST P.O.
KOZHENCHERRY TALUK
PATHANAMTHITTA - 689 532
NOW RESIDING AT NO.2, JUDGES AVENUE
KALOOR, KOCHI - 682 017**

BY ADV. SRI.B.S.SIVAJI

RESPONDENTS:

- 1. KERALA UNIVERSITY OF HEALTH AND SCIENCES
REPRESENTED BY ITS REGISTRAR,
MULANKUNNTHUKAVU, THRISSUR**
- 2. THE CONTROLLER OF EXAMINATIONS,
KERALA UNIVERSITY OF HEALTH SCIENCES
MULANKUNNTHUKAVU, THRISSUR**
- 3. THE BOARD OF ADJUDICATION OF STUDENTS' GREIVANCES
REPRESENTED BY ITS CHAIRMAN
KERALA UNIVERSITY OF HEALTH SCIENCES
MULANKUNNTHUKAVU, THRISSUR**

**BY ADV. SRI.P.SREEKUMAR, SC, KERALA UNIVERSITY OF HEALTH
SCIENCES**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
14-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : COPY OF THE MARK LIST DOWNLOADED FROM THE WEBSITE OF THE
1ST RESPONDENT**
- P2 : COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE
THE 3RD RESPONDENT**
- P3 : COPY OF THE RELEVANT PORTION OF THE REGULATION FOR THE
MBBS COURSE**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 31312 OF 2015

Dated this the 14th day of October, 2015

JUDGMENT

The petitioner contends that the internal assessment marks shall not be reckoned for the purpose of deciding the pass criteria. Reliance in this regard is placed on the decision in **Maharashtra University of Health Sciences v. Paryani Mukesh Jawaharlal and Others [(2007) 10 SCC 201]**. Ext. P2 complaint put in by the petitioner in this regard is pending consideration.

2. I direct the third respondent to consider Ext. P2 complaint in the light of the dictum in **Maharashtra University of Health Sciences v. Paryani Mukesh Jawaharlal and Others [(2007) 10 SCC 201]**. The term aggregate appearing in para 23 of the judgment aforequoted means the total marks in each paper. Final orders on Ext. P2 complaint shall be passed as early as possible.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**