

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

WP(C).No. 33044 of 2014 (E)

PETITIONER:

**K.M.KUNHAMBU, S/O.LATE KUNHAMBU,
AGED 58 YEARS, KALICHEM MOOLAKK NEELAYI,
PEROLE VILLAGE, PUTHARIYADUKKOM P.O.,
HOSDURG TALUK, KASARAGOD DISTRICT.**

**BY ADVS.SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE
SMT.ACHU SUBHA ABRAHAM
SMT.K.R.MONISHA
SRI.BOBY C. BABY
SRI.ANOOP BHASKAR**

RESPONDENT(S):

- 1. KANNUR UNIVERSITY,
REPRESENTED BY ITS REGISTRAR,
DR.P.K.RAJAN MEMORIAL CAMPUS, PALATHADAM,
NILESHWARAM, KASARAGOD - 671 314.**
- 2. THE CAMPUS DIRECTOR, KANNUR UNIVERSITY,
DR.P.K.RAJAN MEMORIAL CAMPUS,
PALATHADAM, NILESHWARAM - 671 314.**
- 3. USHA V.D,
FATHER'S NAME AND AGE NOT KNOW TO PETITIONER,
VALIYAVEETIL HOUSE, CHAYOTH,
NILESHWAR (VIA.) KASARAGOD - 671 314.**

R1 & R2 BY ADV. SRI.V.A.MUHAMMED, SC

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 07-07-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

mbr/

WP(C).No. 33044 of 2014 (E)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXHIBIT P1: TRUE COPY OF THE NOTICE DATED 01/11/2014 PUBLISHED BY THE
RESPONDENTS.**

RESPONDENT(S)' EXHIBITS:

**EXT.R1(A) : TRUE COPY OF THE COMPARATIVE STATEMENT OF THE SIX
QUOTATIONS DATED 14.11.2014.**

/TRUE COPY/

P.S. TO JUDGE

mbr/

K. VINOD CHANDRAN, J.

W.P.(C) No. 33044 of 2014 (E)

Dated this the 7th day of July, 2015

J U D G M E N T

The petitioner is aggrieved with the contract of a canteen awarded to the 3rd respondent for the period from 1.12.2014 to 31.11.2015.

2. The petitioner also had been an applicant. But, however, his claim was rejected. The petitioner also is said to have been the lowest tenderer. The rejection, as per the statement filed on behalf of the official respondent, is the complaint received about the petitioner herein who had conducted the canteen; according to Annexure R1(a) the 'last time'.

2. The petitioner's contention is that he had not been the contractor at the previous instance. However, the statement specifically indicates that the petitioner was the contractor between 16.10.2012 to 15.10.2013. The said fact is admitted by the petitioner. A reading of Annexure R1(a)

also indicates that there were some complaints from the students with respect to the petitioner seeking hike in price of items, contrary to the terms of the lease agreement. It was hence, the contract was awarded to another tenderer, being the 3rd respondent.

This Court does not find any infirmity in the said rejection. Writ petition would stand dismissed.

Sd/-
K.VINOD CHANDRAN,
JUDGE