

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 7TH DAY OF DECEMBER 2015/16TH AGRAHAYANA, 1937

WP(C).No. 36824 of 2015 (C)

PETITIONER(S)/PETITIONERS :

1. **DR.JAFIL JAFAR, AGED 26 YEARS,
S/O. JAFARKHAN T.M.
RESIDING AT KMCT MEDICAL COLLEGE, MANASSERY P.O.,
MUKKOM, CALICUT-673602.**
2. **DR. SONU KUMAR, AGED 23 YEARS,
S/O. PUNNAKKAL SUKUMARAN
RESIDING AT KMCT MEDICAL COLLEGE, MANASSERY P.O.
MUKKOM, CALICUT-673602.**
3. **DR. SHANAS T. AGED 25 YEARS
S/O. NASAR T., RESIDING AT KMCT MEDICAL COLLEGE
MANASSERY P.O., MUKKOM, CALICUT-673602.**
4. **DR. RAHUL CHANDRAMOHAN, AGED 25 YEARS
S/O. INDIRA M.T., RESIDING AT KMCT MEDICAL COLLEGE,
MANASSERY P.O., MUKKOM, CALICUT-673602.**
5. **DR. JERIL VARGHESE, AGED 25 YEARS
S/O. VARGHESE K., RESIDING AT KMCT MEDICAL COLLEGE
MANASSERY P.O., MUKKOM, CALICUT-673602.**

BY ADV. SMT.ANNA THOMAS

RESPONDENT(S)/RESPONDENTS:

1. **STATE OF KERALA
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY,
HIGHER EDUCATION DEPARTMENT, THIRUVANANTHAPURAM-695001.**
2. **THE PRINCIPAL
KMCT MEDICAL COLLEGE, MANASSERY P.O., MUKKOM
CALICUT-673602.**

R1 BY SRI.BIJU MEENALLOOR, GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
07-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

AMV

WP(C).No. 36824 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1- COPY OF THE LETTER DATED 16-11-2015 ISSUED BY THE 1ST PETITIONER IN HIS CAPACITY AS THE SECRETARY OF THE HOUSE SURGEONS ASSOCIATION TO THE 2ND RESPONDENT SEEKING PERMISSION TO CONDUCT THE PROSHOW DURING THE GRADUATION CEREMONY.**
- EXHIBIT P2- COPY OF THE FLIGHT TICKETS IN THE NAME OF MR.NARESH IYER FROM CHENNAI TO KOZHIKODE ON 19-12-2015 AND RETURN FROM KOZHIKODE TO CHENNAI ON 20-12-2015.**
- EXHIBIT P3- COPY OF THE RECEIPT ISSUED BY RAGRANG TOWARDS RS. 1,00,000/- RECEIVED BY MR.NARESH IYER AS TOKEN ADVANCE FOR PERFORMING ON 19-12-2015 AT THE 2ND RESPONDENT COLLEGE.**
- EXHIBIT P4- COPY OF THE G.O.NO. 26483/G1/15/H.EDN. DATED 12-10-2015 ISSUED BY THE 1ST RESPONDENT.**
- EXHIBIT P5- COPY OF THE LETTER/REPRESENTATION DATED 13-11-2015 ISSUED TO THE 1ST RESPONDENT ON 16-11-2015 BY THE PETITIONERS.**

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

PA.TO JUDGE

AMV

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 36824 of 2015

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Dated this the 7th day of December, 2015

J U D G M E N T

The petitioners are the students who passed out from the 2nd respondent's college. In connection with the graduation ceremony, a celebration is scheduled on 19.12.2015 (Saturday). The petitioners apprehend that in the light of Ext.P4 Government order, the College will not permit them to conduct graduation ceremony.

2. This Court is of the view that the Government order only regulates the manner in which the celebration has to be conducted. It does not wholly ban any celebration being carried in the college campuses. In that view of the matter the Principal shall permit the petitioners to hold the celebration in terms of the Government order. It is made clear that the celebration can go up to the maximum time of 9 p.m. The principal is directed to strictly follow the above Government order while allowing the petitioners to hold celebration.

Sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE