IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE MR. A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR. JUSTICE S.MANU

MONDAY, THE 5TH DAY OF AUGUST 2024 / 14TH SRAVANA, 1946

WA NO. 1119 OF 2024

AGAINST THE ORDER DATED 09.07.2024 IN WP(C) NO.24075 OF 2024 OF HIGH COURT OF KERALA

APPELLANT/3RD ADDITIONAL RESPONDENT:

T.PREMANAND, AGED 57 YEARS, S/O. RAVEENDARAN NAIR, PUTHIYAVEETIL, ANAND VIHAR, AZHEEKODE, KANNUR -670009 THE SECRETARY, SREE NITHAYANANDA VIDYA KENDRA, SWAMI NITHYANANDA ASHRAM, KANHANGAD P.O., KASARGODE-671 315

(IS IMPLEADED AS PER ORDER DATED 09.07.2024 IN IA3/2024 IN WP(C)), PIN – 670 009

BY ADVS.
BIJU ABRAHAM
AKSHAI M. SIVAN

RESPONDENTS/PETITIONERS & RESPONDENTS 1,2 & 4:

1 **SREE NITHYANANDA VIDYA KENDRA, KANHANGAD, KASARGODE DISTRICT REG NO. 38/1964,REPRESENTED BY THE SECRETARY SRI NARASIMHA SHENOY, S/O LATE M.BABANNA RAO NITHYANANDA NIVAS, ALAMIPPALLI, KANHANGAD, PIN – 671 315**

2 **P. VIKRAMAN, AGED 46 YEARS, S/O C.RAMAKRISHNAN, PRINCIPAL SREE NITHYANANDA POLYTECHNIC COLLEGE, KANHANGAD,, PIN – 671 315**

3 **ALL INDIA COUNCIL FOR TECHNICAL EDUCATION (AICTE), REPRESENTED BY ASSISTANT DIRECTOR NELSON MANDELA MARG NEW DELHI, PIN – 110 070**

4 **DIRECTOR OF TECHNICAL EDUCATION, GOVERNMENT OF**

KERALA, THIRUVANANTHAPURAM-695023, PIN – 695 023

5 ABHIJITH V.K, AGED 22 YEARS, S/O. KALADHARAN, KALLIMULLI, ELAPPULLY P.O.,PALAKKAD-678622

(IS IMPLEADED AS ADDL.R4 AS PER ORDER DATED 09.07.2024 IN IA 2/2024 IN WP(C)), PIN - 678622

SRI. AJITH KUMAR V SC FOR AICTE

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 05.08.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J U D G M E N T

A. Muhamed Mustaque, Acg.C.J.

This appeal has been preferred by the third respondent, who got impleaded in the writ petition, challenging an interim order of the learned Single Judge. There appears to be some disputes regarding the competency of the writ petitioner to represent Sree Nithyananda Polytechnic College.

2. The learned Single Judge in the writ petition granted an interim order staying the operation of the order passed by the AICTE and allowed the writ petitioner to admit students for the current academic year.

3. The main contention of the appellant in this case is that, the above interim order would clothe a recognition to the competency of the writ petitioner to represent the college and they would misuse this order to make appointments in the college. It is submitted that they have no authority to represent the institute.

4. We make it clear that this interim order passed by

the learned Single Judge was only for the purpose of admission and it cannot be either construed as authority of the writ petitioner to represent the institution or to make appointments. This will have to be decided in appropriate manner and also this aspect has not been decided by the learned Single Judge. Therefore, there is no ground for such an apprehension at this stage. We make it clear that all these matters can be considered at appropriate stage. We leave open all objections raised by the appellant to be agitated before the learned Single Judge.

This writ appeal stands disposed of as above.

Sd/-
A.MUHAMED MUSTAQUE
ACTING CHIEF JUSTICE

Sd/-
S.MANU
JUDGE

PR