IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

THURSDAY, THE 3rd DAY OF APRIL 2025 / 13TH CHAITHRA, 1947

WP(C) NO. 14749 OF 2019

PETITIONER/S:

PRINCY A. (MINOR).
AGED 17 YEARS
REPRESENTED BY HER MOTHER AND GUARDIAN
SMT.KOCHUTHRESIA, W/O.ANTONY S., AGED 44 YEARS,
SLUM COLONY, MOOTHAKKARA, KOLLAM-691013, NOW RESIDING
AT TRINITY HOUSE, MUTHIRAVILA VADAKKETHIL,
MAHILIL P.O., KOLLAM-691601.

BY ADV B.MOHANLAL

RESPONDENT/S:

STATE OF KERALA,
REPRESENTED BY THE PRINCIPAL SECRETARY, SC/ST
1 DEVELOPMENT DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695001.

THE TAHSILDAR,
2 TALUK OFFICE, KOLLAM-691001.

THE VILLAGE OFFICER,
3 THRIKKADAVOOR VILLAGE, KUREEPUZHA P.O., KOLLAM-691601.

4 THE KERALA INSTITUTE FOR RESEARCH TRAINING AND
DEVELOPMENT STUDIES OF SCHEDULED CASTES
AND SCHEDULED TRIBES (KIRTADS), DIRECTORATE OF KIRTADS,
CHEVAYUR, KOZHIKKODE-673017.

5	THE COMMISSIONER OF ENTRANCE EXAMINATIONS KEAM-2019, HOUSING BOARD BUILDINGS, SHANTHI NAGAR, THIRUVANANTHAPURAM-695 001 (CORRECTED) THE ADDRESS OF THE 5TH RESPONDENT CORRECTED AS ''THE UNIVERSITY OF KERALA, REPRESENTED BY ITS REGISTRAR, PALAYAM, THIRUVANANTHAPURAM- 695 033'') AS PER ORDER DATED 31/05/2019 IN IA 01/2019)

SMT.SURYA BINOY, SR.GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03.04.2025, ALONG WITH WP(C).17341/2019, 24137/2019, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

THURSDAY, THE 3rd DAY OF APRIL 2025 / 13TH CHAITHRA, 1947

WP(C) NO. 17341 OF 2019

PETITIONER/S:

MARY FESALITA M,
AGED 20 YEARS
D/O.FLORA, INFANT JESUS NAGAR, KADAPPURAM PURAMBOKE,
MOOTHAKKARA, KOLLAM WEST VILLAGE, CUTCHERRY.P.O.,
KOLLAM-691013.

BY ADV B.MOHANLAL

RESPONDENT/S:

STATE OF KERALA,
REPRESENTED BY THE PRINCIPAL SECRETARY, SC/ST
1 DEVELOPMENT DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695001.

THE TAHSILDAR,
2 TALUK OFFICE, KOLLAM-691001.

THE VILLAGE OFFICER,
3 KOLLAM WEST VILLAGE, KOLLAM-691001.

THE KERALA INSTITUTE OF RESEARCH
TRAINING AND DEVELOPMENT STUDIES OF SCHEDULED CASTES
4 AND SCHEDULED TRIBES (KIRTADS), DIRECTORATE OF KIRTADS,
CHEVAYUR, KOZHIKKODE-673017.

5 THE UNIVERSITY OF KERALA,
REPRESENTED BY REGISTRAR, UNIVERSITY BUILDINGS,
PALAYAM, THIRUVANANTHAPURAM-695033.

BY ADV SRI.THOMAS ABRAHAM, SC, UNIVERSITY OF KERALA

SMT.SURYA BINOY, SR.GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03.04.2025, ALONG WITH WP(C).14749/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

THURSDAY, THE 3rd DAY OF APRIL 2025 / 13TH CHAITHRA, 1947

WP(C) NO. 24137 OF 2019

PETITIONER/S:

EMMANUAL PAUL
AGED 24 YEARS
S/O PAUL.D,RESIDING AT ST.XAVIER,ST.XAVIER NAGAR,CHINNAKAD,KOLLAM-691001.

BY ADV S.SREEKUMAR (KOLLAM)

RESPONDENT/S:

THE STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY,SC/ST
1 DEVELOPMENT DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695001.

THE TAHSILDAR,
2 TALUK OFFICE,KOLLAM-691001.

THE VILLAGE OFFICER,
3 KOLLAM WEST VILLAGE,KOLLAM-691001.

4 THE KERALA INSTITUTE FOR RESEARCH TRAINING AND DEVELOPMENT STUDIES OF SCHEDULED CASTES AND SCHEDULED TRIBES(KIRTADS)DIRECTORATE OF KIRTAD, CHEVAYUR,KOZHIKODE-673017.

5 THE PRINCIPAL,
BISHOP JEROME INSTITUTE,FATHIMA COLLEGE ROAD,
KOLLAM-691001.

6 THE UNIVERSITY OF KERALA,
REPRESENTED BY THE REGISTRAR, SENATE HOUSE
CAMPUS,PALAYAM, THIRUVANANTHAPURAM-695034.

BY ADV SRI.THOMAS ABRAHAM, SC, UNIVERSITY OF KERALA

SRI. DHEERAJ A.S., GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03.04.2025, ALONG WITH WP(C).14749/2019 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

MOHAMMED NIAS C. P. , J.

.....

W. P. (C) No. 14749, 17341 & 24137 OF 2019

.....

Dated this the 03rd day of April, 2025

J U D G M E N T

These writ petitions are filed seeking a direction to the 2nd respondent to issue a Community/Caste Certificate to the petitioners. An interim order was passed directing the 2nd and 3rd respondents to provisionally issue a non-creamy layer certificate to the petitioners showing the religion and caste as 'Christian Bharatha'.

2. The learned counsel appearing for both sides submits that the issue is covered by the judgment of this Court in WPC No.12592 of 2019 and connected cases dated 17th December 2021, which was disposed of in the following manner:-

> "Therefore, these writ petitions are disposed of in the following manner:
> 1. The 5th respondent – KIRTADS in WP(C) No.4527 of 2020 is directed to conduct an enquiry as it deem fit regarding the claim of the petitioners in these cases that they are Bharatha Christians.
>
> 2. The petitioners are free to submit their evidences and

documents supporting their claim before the KIRTADS, within one month from the date of receipt of a copy of this judgment.

3. The KIRTADS, after conducting the enquiry, in accordance to law and after perusing the documents which are to be produced by the petitioners, will decide the matter in accordance to law, as expeditiously as possible.

4. Till final orders are passed by the KIRTADS, the status-quo as far as the petitioners in all these batch of cases will continue."

These writ petitions are also disposed of on similar lines by ordering that the directions in the above judgment will govern the petitioners herein as well. The interim orders granted by this Court in these cases are made absolute.

SD/-
MOHAMMED NIAS C.P.,
JUDGE

JJ

APPENDIX OF WP(C) 17341/2019

PETITIONER EXHIBITS

EXHIBIT P1	THE TRUE COPY OF THE RELEVANT PAGES OF THE S.S.L.C.CERTIFICATE OF THE PETITIONER OBTAINED FROM THE SECRETARY BOARD OF PUBLIC EXAMINATIONS, THIRUVANANTHAPURAM.
EXHIBIT P2	THE TRUE COPY OF THE RELEVANT PAGES OF THE S.S.L.C CERTIFICATE OF THE PETITIONER'S BROTHER FEBIN M. OBTAINED FROM SECRETARY, BOARD OF PUBLIC EXAMINATIONS, THIRUVANANTHAPURAM.
EXHIBIT P3	THE TRUE COPY OF THE EXTRACT OF THE ADMISSION OF THE PETITIONER'S FATHER SRI.MELKIS.R. OBTAINED FROM ST.ANTONY'S U.P.S., VADDY, KOLLAM.
EXHIBIT P4	THE TRUE COPY OF THE RELEVANT PAGES OF THE S.S.L.C. CERTIFICATE OF THE PETITIONER'S MOTHER SMT.FLORA.S. OBTAINED FROM SECRETARY, BOARD OF PUBLIC EXAMINATIONS, THIRUVANANTHAPURAM.
EXHIBIT P5	THE TRUE COPY OF THE ORDER NO.5189/03/07-A&RDD DATED 16.8.1967 ISSUED BY THE GOVERNMENT.
EXHIBIT P6	THE TRUE COPY OF THE JUDGMENT DATED 15.3.1985 IN O.P.NO.25/1985 OF THIS HON'BLE COURT.
EXHIBIT P7	THE TRUE COPY OF THE RELEVANT PAGES OF THE BOOK, THE PEOPLE OF INDIA.
EXHIBIT P8	THE TRUE COPY OF THE G.O.(P)NO.46/2007/SCSTDD DATED 25.8.2007 ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P9	THE TRUE COPY OF THE OTHER ELIGIBLE COMMUNITIES ISSUED BY THE GOVERNMENT AS PER G.O.(P)NO.46/2007/SCST DD DATED 25.8.2007.
EXHIBIT P10	THE TRUE COPY OF THE DETAILS OF THE APPLICATION AND ADMISSION DETAILS OF THE PETITIONER OBTAINED FROM THE WEBSITE PORTAL OF THE 5TH RESPONDENT.
EXHIBIT P11	THE TRUE COPY OF THE ANTHROPOLOGICAL REPORT NO.V.767/2016/SC-6 ISSUED BY THE 4TH RESPONDENT.
EXHIBIT P12	THE TRUE COPY OF THE INTERIM ORDER DATED 12.6.2019 IN WPC.NO.15953/2019 OF THIS HON'BLE COURT.

APPENDIX OF WP(C) 24137/2019

PETITIONER EXHIBITS

EXHIBIT P1	A TRUE COPY OF THE EXTRACT OF THE ADMISSION REGISTER OF THE PETITIONER'S FATHER ISSUED BY HEADMISTRESS,GOVERNMENT MODEL HS FOR BOYS,KOLLAM
EXHIBIT P2	A TRUE COPY OF THE SSLC CERTIFICATE OF THE PETITIONER.
EXHIBIT P3	THE TRUE COPY OF THE STATEMENT OF MARKS OF B.COM DEGREE OF THE PETITIONER ISSUED BY THE MADURAI KAMARAJ UNIVERSITY
EXHIBIT P4	A TRUE COPY OF THE ORDER DATED 16.08.1967
EXHIBIT P5	A TRUE COPY OF THE JUDGMENT IN O.P.NO.25/1985,DATED 15.03.1985
EXHIBIT P6	THE TRUE COPY OF THE RELEVANT PAGES OF THE "PEOPLE OF INDIA,IN THE BOOK "ANTHRROPOLOGY SURVEY OF INDIA"
EXHIBIT P7	A TRUE COPY OF THE GOVERNMENT ORDER G.O(P)NO.46/2007/SC/ST,DATED 25.08.2007
EXHIBIT P8	A TRUE COPY OF THE LIST OF OTHER ELIBLE COMMUNITY ISSUED BY THE GOVERNMENT
EXHIBIT P9	THE TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT,DATED 26.07.2019
EXHIBIT P10	THE TRUE COPY OF THE INTERIM ORDER IN WP(C)NO.15953/2019 OF THE HON'BLE HIGH COURT.

APPENDIX OF WP(C) 14749/2019

PETITIONER EXHIBITS

EXHIBIT P1	THE TRUE COPY OF THE S.S.L.C. CERTIFICATE OF THE PETITIONER OBTAINED FROM THE SECRETARY, BOARD OF PUBLIC EXAMINATIONS, THIRUVANANTHAPURAM.
EXHIBIT P2	THE TRUE COPY OF THE CASTE/COMMUNITY CERTIFICATE NO.1640/2006 DATED 12.03.2006 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.
EXHIBIT P3	THE TRUE COPY OF THE S.S.L.C. CERTIFICATE OF THE PETITIONER'S FATHER SRI.ANTONY S. OBTAINED FROM ST.ALOSYIOUS H.S.S., KOLLAM.
EXHIBIT P4	THE TRUE COPY OF THE ADMISSION EXTRACT OF THE PETITIONER'S FATHER'S ELDER BROTHER SRI.JOSEPH S. OBTAINED FROM ST. ALOSYIOUS H.S.S., KOLLAM.
EXHIBIT P5	THE TRUE COPY OF THE S.S.L.C. CERTIFICATE OF THE PETITIONER'S FATHER'S BROTHER SRI.PAUL S. OBTAINED FROM ST. ALOSYIOUS H.S., KOLLAM.
EXHIBIT P6	THE TRUE COPY OF THE ORDER NO.5189/03/07-A&RDD DATED 16.8.1967 ISSUED BY THE GOVERNMENT.
EXHIBIT P7	THE TRUE COPY OF THE JUDGMENT DATED 15.3.1985 IN O.P.NO.25/1985 OF THIS HON'BLE COURT.
EXHIBIT P8	THE TRUE COPY OF THE RELEVANT PAGES OF THE BOOK, THE PEOPLE OF INDIA.
EXHIBIT P9	THE TRUE COPY OF THE G.O.(P) NO.46/2007/SCST DD DATED 25.08.2007 ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P10	THE TRUE COPY OF THE OTHER ELIGIBLE COMMUNITIES ISSUED BY THE GOVERNMENT AS PER G.O.(P) NO.46/2007/SCST DD DATED 28.05.2007.
EXHIBIT P11	THE TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER THROUGH ONLINE FOR DEGREE COURSE IN THE KERALA UNIVERSITY BEFORE THE 5TH RESPONDENT.
EXHIBIT P12	THE TRUE COPY OF THE ANTHROPOLOGICAL REPORT NO.V.767/2016/SC-6 ISSUED BY THE 4TH RESPONDENT.
EXHIBIT P13	THE TRUE COPY OF THE INTERIM ORDER DATED 07.03.2019 IN W.P.(C) NO.6838/2019 OF THIS HON'BLE COURT.