
(2021) 12 KL CK 0019

In the High Court Of Kerala

Case No : Writ Petition (C) No. 27322 Of 2021

Anindita Nandakumar

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 02-12-2021

Acts Referred:

Citation : (2021) 12 KL CK 0019

Hon'ble Judges : N.Nagaresh, J

Bench : Single Bench

Advocate : N.M.Madhu, C.S.Rajani, P.G.Pramod, Rajit, Surin George Ipe

Final Decision : Disposed Of

Judgement

N.Nagaresh, J

The petitioner, who is a resident of Tripunithura, is before this Court seeking to command the respondents to consider Ext.P5 positively and to afford admission to the petitioner to the Three Year LLB Course in Government Law College, Ernakulam for the academic year 2021-22.

2. The petitioner states that she appeared for the Entrance Examination conducted by the 2nd respondent for the Three Year LLB Course. The petitioner was ranked at 216 in the rank list. The petitioner was invited for spot admission in the Government Law College, Ernakulam on 30.11.2021. In Ext.P4 spot admission list, the petitioner's rank was No.6. There were four vacant seats only.

3. The petitioner submits that the person who ranked Sl.No.2 opted out. A candidate who had already taken admission sought for transfer from the Government Law College, Ernakulam. Therefore there is one vacancy. The petitioner would submit that the petitioner being the most meritorious among the candidates being considered for spot admission, the 5th respondent may be given appropriate direction.

4. The learned Government Pleader representing the respondents 1, 2 and 5

submitted that the last date of admission was as over by 30.11.2021. Even if the petitioner is most meritorious candidate in the Ext.P4 spot admission list, to permit admission of the petitioner after the cut off date, it will offend the rules and regulations provided by the Government for admission to Three Year LLB Course.

5. I have heard the learned counsel for the petitioner, the learned Government Pleader representing the respondents 1, 2 and 5 and the respective Standing Counsel appearing for respondents 3 and 4.

6. It is evident that four seats were vacant in the College of the 5th respondent. The petitioner is ranked as 6 in Ext.P4 among the candidates eligible for spot admission. It is an admitted position that there were four vacancies when Ext.P4 rank list was drawn. It is also not disputed that one of the candidate ranked as Sl.No.2 in Ext.P4 rank list opted out from admission. The learned counsel for the petitioner pointed out that one candidate who was already admitted in the College, sought for transfer from the College and hence there is one more seat. This position is not denied.

7. In the circumstances, this Court is of the view that the petitioner being the most eligible candidate entitled to spot admission on the basis of Ext.P4 rank list if there is a vacancy and since there is a vacancy in the College of the 5th respondent College, appropriate directions should be given in this case. This is required all the more for the reason that if a candidate is not appointed at this stage, one seat in the Three Year LLB Course will remain vacant through out the three year academic period, which will not be in the interest of legal education sector.

In the peculiar facts and circumstances of the case, the writ petition is disposed of directing the 5th respondent to admit the writ petitioner against the existing vacancy in the College. Necessary approval shall be granted to the admission of the petitioner by respondents 2 and 4.