
(2023) 10 KL CK 0038
In the High Court Of Kerala
Case No : Writ Petition (C) No. 31546 Of 2023

Dr. Anitta Martin

APPELLANT

Vs

Commissioner For Entrance Examinations

RESPONDENT

Date of Decision : 06-10-2023

Acts Referred:

Citation : (2023) 10 KL CK 0038

Hon'ble Judges : T.R.Ravi, J

Bench : Single Bench

Advocate : M.Sasindran, S.Shyam Kumar, Tony George Kannanthanam, Kurian George Kannanthanam, K.G.Sarojini

Final Decision : Disposed Of

Judgement

T.R.Ravi, J

1. When the case was taken up, the Senior Counsel appearing on behalf of the 2nd respondent submitted that there were two NRI vacancies available in the College in General Medicine and two persons had been allotted initially, including the petitioner. Thereafter, the other person who had been admitted got the higher option and he left. Towards the said vacancy, it appears that two other students were allotted by the respondents for the reason that the petitioner's allotment was cancelled for not submitting the extended visa. It is submitted that one person, out of the two persons who were allotted, has also taken the higher option and one NRI seat is now available, even as per the website from 16.09.2023.

2. In the case on hand, the petitioner has already got the sponsor's visa extended, as is seen from Ext.P-7. As such, there should be no impediment for allotment and admission of the petitioner in the NRI quota. It is seen that the allotment was cancelled, even before the last date of the period of validity of the visa, which was 28.08.2023, as can be seen from Ext.P-5.

In the above circumstances, this Writ Petition is allowed. There will be a direction

to the 1st respondent to allot the petitioner to the 2nd respondent – College in the NRI vacancy, which is still available in MD General Medicine and the 2nd respondent shall consequentially grant admission to the petitioner. Process shall be completed, within 10 days from today. The 1st respondent shall permit the petitioner to upload Ext.P-7 by opening the portal, at the earliest.