
(2022) 12 KL CK 0207

In the High Court Of Kerala

Case No : Writ Petition (C) Nos. 39205, 41342, 41344 Of 2022

M Hegin Han

APPELLANT

Vs

Calicut University

RESPONDENT

Date of Decision : 20-12-2022

Acts Referred:

Citation : (2022) 12 KL CK 0207

Hon'ble Judges : Devan Ramachandran, J

Bench : Single Bench

Advocate : Thasnimol T.S., Surin George Ipe, Joshy Thannickamattam

Judgement

Devan Ramachandran, J

1. The predicament faced by the petitioners in these three cases – which have been heard together, taking note of the analogous factual circumstances presented – is that they have completed their LLB course, but the results have not been published by the University of Calicut and the Mahatma Gandhi University (M.G.University); thus being in the verge of missing out their chance of joining the LLM course in Kerala.

2. As matters now stand, it is conceded by all sides that the petitioners have been allotted seats for the LLM Course and have been asked to produce their educational certificates within a cut-off date. As said above, they are unable to do so, because valuation of the answer scripts by the aforesaid Universities had not been completed.

3. When these matters were earlier considered, I asked the learned Government Pleader – Sri.Joshy Thannickamattam, to obtain instructions from the Commissioner for Entrance Examinations as to the time for submission of educational certificates by the petitioners and persons like them. The learned Government Pleader today submitted that the maximum time that the petitioners can be given is till the “mop-up” counselling is over, which is by the 1st week of January 2023.

4. However, Sri.P.C.Sasidharan – learned Standing Counsel for the University of Calicut and Sri.Surin George Ipe – learned Standing Counsel for the M.G.University, submitted that though valuation of the answer papers has begun, the declaration of results by their clients would take at least a month or 45 days more time.

5. It is thus obvious that the petitioners have now been subjected to prejudice for no fault that can be attributed to them. I am, therefore, of the firm view that this Court is obliged to offer them relief.

Resultantly, I order this writ petition with the following directions:

(a) The petitioners will be provisionally admitted to the seats for the LLM Course, subject to all other requirements being satisfied, except production of the educational certificates at the degree level.

(b) The University of Calicut and M.G.University are directed to publish the results of the LLB Course of the petitioners on or before 25.01.2023. On such declaration being done, the petitioners shall be favoured with their Mark Lists and Provisional Degree Certificates, within a period of one week thereafter.

(c) Axiomatically, the Controller of Examinations is directed to offer time till 10.02.2023, for the petitioners to produce their documents, so as to have their admissions regularized thereafter.

I leave full liberty to the parties to seek any further extension or clarifications from this Court, if it becomes so warranted.