

(2010) 11 KL CK 0316

In the High Court Of Kerala

Case No : Writ Appeal No's. 1782, 1789, 1798 and 1800 of 2010

Sonia K. Francis

APPELLANT

Vs

Mahatma Gandhi University, The Controller of Examinations,
The Commissioner of Entrance and Mar Atanasius College of
Engineering

RESPONDENT

Date of Decision : 11-11-2010

Acts Referred:

Citation : (2010) 11 KL CK 0316

Hon'ble Judges : C.N. Ramachandran Nair, J;B.P. Ray, J

Bench : Division Bench

Advocate : Babu Karukapadath, for the Appellant; T.A. Shaji, SC for M.G. University, for the Respondent

Judgement

C.N. Ramachandran Nair, J.—The appellants have not passed in all subjects in the BCA course. However, having regard to the fact that they have written supplementary examinations in the failed subjects, they were allowed to participate in the Entrance Examination for admission to MCA course. Their case is that they have secured sufficiently high ranks in the Entrance Examination and have been allotted to various colleges for joining MCA course. In between, University has not published result of the supplementary examinations written by the appellants. Unless results are published and unless the appellants pass the examinations, they will not be eligible to join for MCA course. Therefore, Writ Petitions are filed for direction to the University to get the valuation done and publish the result in the supplementary examination written by the appellants without any delay. The learned Single Judge recorded submission of the University that results will be published by 15th December, 2010. However, the further prayer for retaining appellants' allotments for admission to MCA course was not allowed by the learned Single Judge because appellants are not eligible for admission. We do not find any justification to interfere with the finding of the learned Single Judge because only graduates can join for a post-graduate course. However, the process of admission to MCA course will be over only by

31.12.2010 and by 15th of December the University has undertaken to publish the results. Therefore, we feel atleast those of the appellants who qualify in the BCA Examination after publication of the results of the supplementary examinations should be given admission based on allotments made. Accordingly these Writ Appeals are disposed of modifying the judgment of the learned Single Judge directing respondents to retain the allotments subject to the result of supplementary examination being published by University by 15th December, 2010. We make it clear that the University should ensure that publication of results is not delayed beyond the date stated above. The allotments made to such of the candidates who fail in the examinations will stand cancelled on publication of results and others will be considered for admission based on the allotments made.