

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

MONDAY, THE 10<sup>TH</sup> DAY OF APRIL 2023 / 20TH CHAITHRA, 1945

WA NO. 388 OF 2023

AGAINST THE INTERIM ORDER DATED 03.02.2023 IN WP(C)NO.3521/2023

APPELLANT/PETITIONER:

SEEMA SEBASTIAN, AGED 44 YEARS,  
W/O.RENJITH CHACKO, MEDICAL OFFICER,  
GOVERNMENT AYURVEDA DISPENSARY, VALLIYAD, KOZHIKODE,  
RESIDING AT KUNNUMPURATH HOUSE,  
MLA ROAD, KUNNAMANGALAM, KOZHIKODE, PIN-673571.

BY ADV. S.SANAL KUMAR

RESPONDENTS/RESPONDENTS:

- 1 STATE OF KERALA, REPRESENTED BY ITS PRINCIPAL SECRETARY  
AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695 001.
- 2 THE COMMISSIONER OF ENTRANCE EXAMINATION,  
OFFICE OF THE COMMISSIONER OF ENTRANCE EXAMINATION SS KOVIL  
ROAD, SHANTI NAGAR, THIRUVANANTHAPURAM, PIN - 695 001.
- 3 THE DIRECTOR OF INDIAN SYSTEM OF MEDICINE,  
AROGYA BHAVAN, AYURVEDA COLLEGE JUNCTION,  
THIRUVANANTHAPURAM, PIN - 695 001.
- 4 THE DIRECTOR OF AYURVEDA MEDICAL EDUCATION,  
AROGYA BHAVAN, THIRUVANANTHAPURAM, PIN-695 001.
- 5 SHEEJA S., SAUSEELYA, AYATHIL.P.O.,  
KOLLAM-691 017.

WA NO. 388 OF 2023

-:2:-

6 DR.SIVAPRASADAN V., AGED 49 YEARS,  
S/O.PURUSHOTHAMAN.V., WORKING AS MEDICAL OFFICER,  
GOVERNMENT AYURVEDA DISPENSARY, CHENGOTTUKAVU, CHELIYA,  
KOZHIKODE - 673 306, RESIDING AT SUGUNALAYAM, PURAKKATIRI,  
THALAKKULATHUR, KOZHIKODE, PIN - 673317.

BY ADVS.

BY ADV.K.SANDESH RAJA

SRI.P.G.PRAMOD, SENIOR GOVERNMENT PLEADER(GP-50)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 29.03.2023, ALONG WITH  
W.A.NO.383/2023 AND CONNECTED CASES, THE COURT ON 10.04.2023 DELIVERED  
THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

MONDAY, THE 10<sup>TH</sup> DAY OF APRIL 2023 / 20TH CHAITHRA, 1945

W.A.NO.383 OF 2023

AGAINST THE ORDER DATED 03.02.2023 IN WP(C) NO.3768/2023

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APPELLANT/PETITIONER:

DR.SHYLY.S.RAJU, AGED 40 YEARS,  
W/O. DR. RENJITH LAL.A.N., PRAGATHI,  
T.C.20/1967(5), MLA ROAD, KODAPPANAKKUNNU,  
THIRUVANANTHAPURAM, MEDICAL OFFICER,  
GOVERNMENT AYURVEDA DISPENSARY, CHEMMARUTHI  
THIRUVANANTHAPURAM, PIN - 695043.

BY ADVS.

M.SASINDRAN

T.S.BHARATH KRISHNA

RESPONDENTS/RESPONDENTS:

- 1 STATE OF KERALA, REPRESENTED BY ITS PRINCIPAL SECRETARY, AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001.
- 2 THE COMMISSIONER OF ENTRANCE EXAMINATION, OFFICE OF THE COMMISSIONER OF ENTRANCE EXAMINATION SS KOVIL ROAD, SHANTI NAGAR, THIRUVANANTHAPURAM, PIN - 695001.
- 3 THE DIRECTOR OF INDIAN SYSTEM OF MEDICINE, AROGYA BHAVAN, AYURVEDA COLLEGE JUNCTION, THIRUVANANTHAPURAM, PIN - 695001.
- 4 THE DIRECTOR OF AYURVEDA MEDICAL EDUCATION, AROGYA BHAVAN, THIRUVANANTHAPURAM, PIN - 695001.

W.A.NO.383 OF 2023

-:2:-

- 5 SHEEJA S., SAUSEELYA AYATHIL.P.O.,  
KOLLAM, PIN - 691017.
- 6 DR.SIVAPRASADAN.V., AGED 49 YEARS,  
S/O.PURUSHOTHAMAN.V. WORKING AS MEDICAL OFFICER  
GOVERNMENT AYURVEDA DISPENSARY, CHENGOTTUKAVU,  
CHELIYA, KOZHIKODE-673306, RESIDING AT SUGUNALAYAM,  
PURAKKATIRI, THALAKKULATHUR, KOZHIKODE, PIN - 673306.

BY ADVS.

BY ADV.K.SANDESH RAJA

SRI.P.G.PRAMOD, SENIOR GOVERNMENT PLEADER(GP-50)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 29.03.2023, ALONG WITH WP(C).2402/2023, 3521/2023 AND CONNECTED CASES, THE COURT ON 10.04.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

MONDAY, THE 10<sup>TH</sup> DAY OF APRIL 2023 / 20<sup>TH</sup> CHAITHRA, 1945

WP(C) NO.2402 OF 2023

PETITIONER/S:

DR.SIVAPRASADAN V., AGED 49 YEARS,  
S/O.PURUSHOTHAMAN V., WORKING AS MEDICAL OFFICER,  
GOVT. AYURVEDA DISPENSARY CHENGOTTUKAVU, CHELIYA,  
KOZHIKODE - 673 306, RESIDING AT SUGUNALAYAM,  
PURAKKATIRI, THALAKKULATHUR, KOZHIKODE,  
PIN - 673317.

BY ADV.K.SANDESH RAJA

RESPONDENTS:

- 1 STATE OF KERALA, REPRESENTED BY ITS PRINCIPAL  
SECRETARY, AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001.
- 2 THE COMMISSIONER OF ENTRANCE EXAMINATION  
OFFICE OF THE COMMISSIONER OF ENTRANCE EXAMINATION  
S.S. KOVIL ROAD, SHANTI NAGAR, THIRUVANANTHAPURAM, PIN  
- 695001
- 3 THE DIRECTOR OF INDIAN SYSTEM OF MEDICINE,  
AROGYA BHAVAN, AYURVEDA COLLEGE JUNCTION,  
THIRUVANANTHAPURAM, PIN - 695001.
- 4 THE DIRECTOR OF AYURVEDA MEDICAL EDUCATION,  
AROGYA BHAVAN, THIRUVANANTHAPURAM, PIN - 695001.

-:2:-

- 5 DR.NANDA DEVI L., MEDICAL OFFICER,  
GOVERNMENT AYURVEDA DISPENSARY, KULATHOOR,  
THIRUVANANTHAPURAM, PIN - 695583.
- ADDL.R6 DR. SHYLY S.RAJU, W/O.DR.RANJITH LAL A.N., PRAGATHI,  
T.C.20/1967 (5), MLA ROAD, KODAPPANAKKUNNU,  
THIRUVANANTHAPURAM, MEDICAL OFFICER, GOVERNMENT  
AYURVEDA DISPENSARY CHEMMARUTHI, THIRUVANANTHAPURAM-  
695 043.
- ADDL.R7 SEEMA SEBASTIAN, AGED 44 YEARS,  
W/O.RENJITH CHACKO, MEDICAL OFFICER, GOVERNMENT  
AYURVEDA DISPENSARY, VALLIYAD, KOZHIKODE, RESIDING AT  
KUNNUMPURATH HOUSE, MLA ROAD, KUNNAMANGALAM,  
KOZHIKODE-673 571, CHALUSSERY VALAPPILA HOUSE,  
ARANATTUKARA, POOTHOLE, THRISSUR-680004.
- (ADDL R6 AND R7 IMPEADED AS PER ORDER DATED  
20-03-2023 IN IA 2/2023 IN WP(C)2402/2023.
- BY ADV M.SASINDRAN
- RI.P.G.PRAMOD, SENIOR GOVERNMENT PLEADER(GP-50)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
29.03.2023, ALONG WITH W.A.NO.383/2023 AND CONNECTED CASES, THE  
COURT ON 10.04.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

MONDAY, THE 10<sup>TH</sup> DAY OF APRIL 2023 / 20TH CHAITHRA, 1945

WP(C) NO.3521 OF 2023

PETITIONER:

DR.SEEMA SEBASTIAN, AGED 44 YEARS,  
W/O.RENJITH CHACKO, MEDICAL OFFICER,  
GOVERNMENT AYURVEDA DISPENSARY, VALLIYAD, KOZHIKODE,  
RESIDING AT KUNNUMPURATH HOUSE, MLA  
ROAD, KUNNAMANGALAM, KOZHIKODE, PIN-673571.

BY ADVS.

S.SANAL KUMAR  
BHAVANA VELAYUDHAN  
T.J.SEEMA

RESPONDENTS:

- 1 STATE OF KERALA, REPRESENTED BY ITS PRINCIPAL SECRETARY, AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.
- 2 THE COMMISSIONER OF ENTRANCE EXAMINATION, OFFICE OF THE COMMISSIONER OF ENTRANCE EXAMINATION SS KOVIL ROAD, SHANTI NAGAR, THIRUVANANTHAPURAM, PIN - 695 001.
- 3 THE DIRECTOR OF INDIAN SYSTEM OF MEDICINE AROGYA BHAVAN, AYURVEDA COLLEGE JUNCTION, THIRUVANANTHAPURAM, PIN - 695 001.
- 4 THE DIRECTOR OF AYURVEDA MEDICAL EDUCATION AROGYA BHAVAN, THIRUVANANTHAPURAM, PIN - 695 001.

WP(C) NO.3521 OF 2023

-:2:-

- 5 SHEEJA S., SAUSEELYA, AYATHIL.P.O.,  
KOLLAM - 691 017.
- 6 DR.SIVAPRASADAN.V., S/O.PURUSHOTHAMAN.V.,  
WORKING AS MEDICAL OFFICER, GOVERNMENT AYURVEDA  
DISPENSARY, CHENGOTTUKAVU, CHELIYA, KOZHIKODE - 673  
306, RESIDING AT SUGUNALAYAM, PURAKKATIRI,  
THALAKKULATHUR, KOZHIKODE, PIN - 673317.

BY ADVS.

BY ADV.K.SANDESH RAJA

SRI.P.G.PRAMOD, SENIOR GOVERNMENT PLEADER (GP-50)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
29.3.2023, ALONG WITH W.A.NO.383/2023 AND CONNECTED CASES, THE  
COURT ON 10.04.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

MONDAY, THE 10<sup>TH</sup> DAY OF APRIL 2023 / 20TH CHAITHRA, 1945

WP(C) NO. 3768 OF 2023

PETITIONER:

DR.SHYLY S. RAJU., AGED 40 YEARS,  
W/O.DR.RENJITH LAL A.N., PRAGATHI, T.C.20/1967 (5); MLA  
ROAD, KODAPPANAKKUNNU, THIRUVANANTHAPURAM-695043, MEDICAL  
OFFICER GOVERNMENT AUYURVEDA DISPENSARY CHEMMARUTHI,  
THIRUVANANTHAPUARAM, PIN - 695001.

BY ADVS.

M.SASINDRAN

T.S.BHARATH KRISHNA

RESPONDENTS:

- 1 STATE OF KERALA, REPRESENTED BY ITS PRINCIPAL SECRETARY  
AYUSH DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN - 695001.
- 2 THE COMMISSIONER OF ENTRANCE EXAMINATION  
OFFICE OF THE COMMISSIONER OF ENTRANCE EXAMINATION SS KOVIL  
ROAD, SHANTI NAGAR, THIRUVANANTHAPURAM, PIN - 695001.
- 3 THE DIRECTOR OF INDIAN SYSTEM OF MEDICINE  
AROGYA BHAVAN, AYURVEDA COLLEGE JUNCTION,  
THIRUVANANTHAPURAM, PIN - 695001.
- 4 THE DIRECTOR OF AYURVEDA MEDICAL EDUCATION,  
AROGYA BHAVAN, THIRUVANANTHAPURAM, PIN - 695001.
- 5 SHEEJA S., SAUSEELYA, AYATHIL P.O., KOLLAM, PIN - 691017.

WP(C) NO. 3768 OF 2023

-:2:-

6 DR.SIVAPRASADAN V., AGED 49 YEARS,  
S/O.PURUSHOTHAMAN.V, WORKING AS MEDICAL OFFICER, GOVERNMENT  
AYURVEDA DISPENSARY, CHENGTOTTUKAVU, CHELIYA, KOZHIKODE -  
673 306, RESIDING AT SUGUNALAYAM, PURAKKATIRI,  
THALAKKULATHUR, KOZHIKODE, PIN - 673317

BY ADVS.

BY ADV.K.SANDESH RAJA

SRI.P.G.PRAMOD, SENIOR GOVERNMENT PLEADER(GP-50)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29.3.2023,  
ALONG WITH W.A.NO.383/2023 AND CONNECTED CASES, THE COURT ON  
10.04.2023 DELIVERED THE FOLLOWING:

'C.R."

**A.MUHAMED MUSTAQUE & SHOBA ANNAMMA EAPEN, JJ.**

-----  
**Writ Appeal Nos.388/2023 & 383/2023**  
**W.P. (C) .Nos.2402/2023, 3521/2023 & 3768/2023**  
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**Dated this the 10<sup>th</sup> day of April, 2023**

**J U D G M E N T**

A.Muhamed Mustaque, J.

These cases are being disposed of by a common judgment. The appellants came before us challenging the non-grant of an interim order. We thought that the entire matter could be disposed of. Accordingly, the writ petitions were tagged with the appeals. The dispute pertains to admission for the Post Graduate Ayurveda courses 2022 under the service quota for Medical Officers. The point of law that arises for consideration is, after the publication of the final list of candidates in the service quota, whether one of the eligibility criteria can be rectified/changed or not. We shall answer this question after adverting to the facts.

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2. There is a two-tier process for admission to the Post Graduate courses in Ayurveda. At the first level, the candidates have to clear the National Testing Agency (**NTA**) exam. Whereas, at the second level, one has to make an application in terms of the prospectus on Post Graduate courses in Ayurveda. The test is conducted much prior to the preparation of the prospectus. For the academic year 2022-23, NTA conducted the test on 15/10/2022 and published the result on 9/11/2022. The Government of Kerala released the prospectus for admission to the PG courses on 29/12/2022. Pursuant to the prospectus, the Commissioner for the Entrance Examinations invited applications for admission on 4/1/2023. The last date for submitting completed applications was 9/1/2023. On 18/1/2023, a provisional list of service quota candidates was published. On 19/1/2023, the final list of service quota

-:3:-

candidates was published. The Government, based on an interim order, dated 25/1/2023, in the writ petition filed by Dr.Sivaprasadan V., passed an order on 25/1/2023 itself, changing the upper age limit of the Medical Officer quota candidates. This resulted in recasting the list of the final service quota candidates. The final service quota list was published on 27/1/2023. Dr.Seema Sebastian and Dr.Shyly Raju, who were higher in the order of seniority prior to the recasting of the service quota candidates came before this Court in W.P.(C).Nos.3521/2023 and 3768/2023 aggrieved by the recasting of the list of service quota candidates as they have been placed below Dr.Sheeja S. and Dr.Sivaprasadan V.

3. The reason for recasting the list was that, while fixing the upper age limit of Medical Officer quota candidates, the Government overlooked the retirement age of officers

-:4:-

appointed on or after the first day of April 2013, the date on which the National Pension Scheme was implemented in the State. The relevant clause in the prospectus reads thus:

5(B) (2). Service candidates:- In the case of candidates coming under Clause 7 (E) and (F), the upper age limit will be fixed in such a way that service quota candidate if admitted to the Post Graduate course on completion of such course, should have at least 7 years of service left before the date of superannuation in their respective Departments. The upper age limit of the teachers quota candidates will be 50 as on 31-07-2022. The upper age limit of the Medical Officer quota candidates will be 46 reckoned as on 31-07-2022.

4. As seen from the above, the candidates who are aspiring for admission should have at least 7 years of service left before the date of superannuation. The upper age limit of the teachers' quota was fixed at 50 years, taking note of the retirement age of teachers. After three years of undertaking studies, a candidate should have at least minimum 7 years of service left to

-:5:-

obtain admission under such a quota. This was for the reason that these candidates are eligible for full salary during the period of 3 years of study. Prior to 1/4/2013, the age of retirement of the Medical Officer was 56 years. Therefore, it was fixed at 46. Now there are two categories of Medical Officer quota employees in this State; those who entered into employment prior to 1/4/2013 and; those who entered into employment on or after 1/4/2013.

5. What factored in fixing the upper age limit was their availability in the department after the completion of the course for a period of seven years. This being the factor, the Medical Officers' age ought to have been reckoned at par with the age of teachers. Otherwise, it will discriminate between the employees who are retiring at the same age. Had it not been for the Government passing the order now under challenge

-:6:-

by Dr.Seema Sebastian and Dr.Shyly S.Raju, this Court would have, in the writ petition filed by Dr.Sivaprasadan V., struck down the fixing of such age limit criteria as it would amount to discrimination. Therefore, it makes no difference that such a situation has been met by the order of the Government. The question thus arises is whether such exercise could have been done after finalisation of the list of select candidates.

6. The learned counsel appearing for Dr.Seema Sebastian and Dr.Shyly S.Raju argued that the Government could not have tinkered with the eligibility criteria for admission after the publication of the select list as it would affect the rights of others. It was further argued that these eligibility criteria were prevalent in the past and no one has challenged it before. Further, it was argued that Dr.Sivaprasad should have come up before this Court immediately after the



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publication of the prospectus and the delay involved in approaching this Court challenging the prospectus after the publication of the select list is fatal as the writ petition has to be dismissed on the ground of laches.

7. We shall now advert to the precedents cited at the bar:

7.i. In **Jayakumar E.K. v. Director of Education and Ors. [MANU/KE/0858/2003]**, a Division Bench of this Court considered the question relating to an amendment of the prospectus for a Postgraduate Degree programme in Medicine after the last date for submitting applications for such a programme and took the view that the Court cannot direct amendment of the prospectus or consider the capability of the candidates otherwise than in a manner prescribed in the prospectus.

7.ii. In **Varghese Philip v. State of Kerala [2004 (1) KLT 581]** again the Division Bench of this Court took the view that it is not permissible to change the admission criteria for admission to the course by modifying or amending the prospectus after the last date fixed for submitting the application.

7.iii. In **Anushka Rengunthwar v. Union of India [2023 KHC 6101]**, the Apex Court in the context of NEET UG Examinations held that the right of overseas citizens of India, cannot be taken away after treating them at par with NRI candidates. As seen from the said judgment, they have been enjoying the benefits at par with NRI students and the notification appears to have been issued, taking away their rights retrospectively.

7.iv. In **Union of India and Others v. N.Murugesan [2021 KHC 6603]**, the Apex Court elaborated principles related to laches and delay. This judgment was pressed into service to buttress the

argument that the challenge ought to have been made before the publication of the select list.

7.v. So also reliance was placed on the judgment of this Court in **Kerala State Cashew Development Corporation v. C.Thomas Panikkar and Others [2017 KHC 1049]** to buttress the argument on the grounds of laches.

8. We would have simply accepted the argument that eligibility criteria in a prospectus cannot be changed in the normal course after the last date for submitting applications. The prospectus settles the candidates' admission criteria, etc. and gives a fair level playing field for every candidate who aspires for admission. A new claim cannot be admitted in the prospectus before the last date of submitting applications for admission. Amendment to the prospectus stands totally in a different perspective when there is a hostile discrimination between or among different

-:10:-

classes standing on the same footing. If the prospectus fixes an eligibility criteria which offends Article 14, it cannot be said it will hold good for everyone to participate in the same manner as provided under the prospectus without amendment. The right to challenge cannot be taken away merely because there is a timeline fixed in the prospectus. No doubt, laches may sometimes be canvassed as a defence to deny relief but not to reject the challenge. When all similarly situated persons are not treated alike, that is open for challenge before the Constitutional Court. An injustice cured cannot be considered as a change of eligibility criteria. If such arguments are sustained, that would amount to denial of the right to challenge such arbitrary clauses in the prospectus. No candidates can be denuded of fundamental rights on the ground that the prospectus sets a deadline. It is in that

-:11:-

background that the present case has to be examined.

9. As noted earlier, the retirement age for teachers' quota is fixed at 60. No one has any dispute on that. The Medical Officer, who enrolled after 1/4/2013 under the National Pension Scheme, also attains retirement at age 60. They stand at par in regard to the criteria for retirement. There cannot be discrimination among the same class of employees who are retiring at the same age. The objective criteria for fixing the upper age limit is that there should be 7 years of service left after the completion of the course. The same rule must exist for all candidates in similar circumstances. When the same class of persons are treated differently, it results in discrimination. Merely for the reason that the Government passed an order, that does not cease to be a correctional order to uphold the

-:12:-

concept of 'equality' as enshrined under Article 14 of the Constitution. Therefore, we are of the considered view that the Government was justified in passing an order changing the eligibility criteria. It is to be noted that the Government acted on the basis of the orders of this Court as well as on the basis of the power reserved by the Government in the prospectus to amend the prospectus.

10. This would certainly impact the rights of other candidates. The other candidates can object to such changes if any of their accrued rights are being divested consequent upon changing of the eligibility criteria. Mere inclusion in the select list will not confer any candidate with an indefeasible right to claim admission in accordance with the original ranking. Recasting a rank list would remove a patent injustice, which is an inevitable consequence of that process. It

-:13:-

is not a case where candidates have been admitted to the programme and have started attending classes after the admission. No rights of the other candidates have now been taken away. Rearrangement of the rank may lower the prospects of getting admission. By inclusion in the select list, one is having only a legitimate expectation for consideration for admission and no right for admission has been crystallized by such inclusion. The legitimate expectation can be imperilled by a change of circumstances, an act of God or by judicial intervention. There were no laches on the part of the candidates who raised grievance before the Government. The association had taken up their cause before the Government on 6/1/2023 by representation. That was much before the preparation of the provisional list. Dr.Sivaprasadan approached this Court immediately after the publication of the final list as the

**Writ Appeal Nos.388/2023 & 383/2023 &  
W.P. (C) .Nos.2402/2023, 3521/2023 & 3768/2023**

-:14:-

Government failed to respond in the matter. The writ petition was filed on 23/1/2023. In such circumstances, we affirm the decision of the Government. Consequently, we pass the following orders:

W.P.(C).No.2402/2023 is allowed by affirming the consequential order passed by the Government pursuant to the interim order of this Court dated 25/1/2023. The other writ petitions and writ appeals fail and are, accordingly, dismissed.

Sd/-

**A.MUHAMED MUSTAQUE, JUDGE**

Sd/-

**SHOBA ANNAMMA EAPEN, JUDGE**

ms