

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

TUESDAY, THE 1ST DAY OF AUGUST 2023 / 10TH SRAVANA, 1945

WP(C) NO. 25006 OF 2023

PETITIONER:

ZULU HARIS
AGED 19 YEARS
S/O DR ARIF MOHAMMED HARIS A.S, ZULU VEEDU,
KAILAS GARDEN, SREEKARIYAM.P.O,
THIRUVANANTHAPURAM, PIN - 695017

BY ADV. JESTIN MATHEW

RESPONDENTS:

- 1 UNION OF INDIA
REPRESENTED BY THE SECRETARY, MINISTRY OF HEALTH AND
FAMILY WELFARE, NIRMAN BHAVAN, NEW DELHI, PIN - 110077
- 2 STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT,
HEALTH & FAMILY WELFARE, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM, PIN - 695001
- 3 COMMISSIONER FOR ENTRANCE EXAMINATIONS,
KERALA, OFFICE OF THE COMMISSIONER FOR ENTRANCE,
EXAMINATIONS, KSRTC BUS, TERMINAL COMPLEX,
THIRUVANANTHAPURAM, PIN - 695001

BY ADV.

SRI.S.MANU, DSGI

P.G.PRAMOD, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
01.08.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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P.V.KUNHIKRISHNAN, J.

W.P.(C)No.25006 of 2023

Dated this the 01st day of August, 2023

JUDGMENT

The above writ petition is filed with the following prayers:

"i. declare that in the absence of any stipulation in Exhibit P3 prospectus about the mandatory submission of NEET scorecard within the prescribed time limit to the 3rd respondent, the non-inclusion of the petitioner's name in the final category list of KEAM 2023 is illegal, bad, arbitrary and unreasonable.

ii. issue a writ of mandamus or any other appropriate writ order or direction directing the 3rd respondent to permit the petitioner to submit Exhibit P1 NEET scorecard to the 3rd respondent forthwith and also include the petitioner's name in the final category list of

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KEAM 2023 prepared by the 3rd respondent.

iii. issue a writ of mandamus or any other appropriate writ order or direction directing the 3rd respondent to effectively consider Exhibit P11 representation submitted by the petitioner forthwith.

iv. issue such other appropriate writ order or direction as this Honourable Court may deem fit just and proper to grant on the facts and circumstances of the case.

v. to dispense with the filing of the English translation of the vernacular documents ."[SIC]

2. The main prayer in this writ petition is to declare that, in the absence of any stipulation in Ext.P3 prospectus about the mandatory submission of NEET scorecard within the prescribed time limit to the 3rd respondent, the non-inclusion of the petitioner's name in the final category list of KEAM 2023 is illegal and bad. The petitioner submitted Ext.P11 request before the 3rd

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respondent. The grievance of the petitioner is that the same is not considered. Hence this writ petition is filed.

3. Heard the learned counsel appearing for the petitioner, the learned DSGI and the learned Government Pleader.

4. Without expressing any opinion on merit, there can be a direction to the 3rd respondent to consider and pass appropriate orders in Ext.P11, forthwith.

Therefore, this writ petition is disposed of in the following manner:

i. The 3rd respondent is directed to consider and pass appropriate orders in Ext.P11, as expeditiously as possible, at any rate, within a period of one week from the date of receipt of a certified copy of this judgment.

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ii. Petitioner will produce a certified copy of this judgment along with a copy of the writ petition before the 3rd respondent for compliance.

Sd/-

**P.V.KUNHIKRISHNAN
JUDGE**

DM

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APPENDIX OF WP (C) 25006/2023

PETITIONER EXHIBITS

- EXHIBIT P1 A TRUE COPY OF THE SCORE CARD IN
THE NATIONAL ELIGIBILITY CUM
ENTRANCE TEST (UG)-2023 DATED
13/06/2023
- EXHIBIT P2 A TRUE COPY OF THE PETITIONER'S
APPLICATION ACKNOWLEDGEMENT KEAM
2023 DATED 25.03.2023 OF THE
OFFICE OF THE 3RD RESPONDENT
- EXHIBIT P3 A TRUE COPY OF THE PROSPECTUS
DATED 16.03.2023 FOR ADMISSION TO
PROFESSIONAL DEGREE COURSES
WITHOUT ANNEXURES
- EXHIBIT P4 A TRUE COPY OF THE CENTRAL BOARD
OF SECONDARY EDUCATION, MARKS
STATEMENT CUM CERTIFICATE,
SECONDARY SCHOOL EXAMINATION-2020
DATED 15.07.2020
- EXHIBIT P5 A TRUE COPY OF THE CENTRAL BOARD
OF SECONDARY EDUCATION MARKS
STATEMENT CUM CERTIFICATE SENIOR
SCHOOL CERTIFICATE EXAMINATION,
2022 DATED 22.07.2022
- EXHIBIT P6 A TRUE COPY OF THE MINORITY
CERTIFICATE DATED 17.03.2023
ISSUED FROM THE TAHASILDAR,
THIRUVANANTHAPURAM TALUK OFFICE
- EXHIBIT P7 A TRUE COPY OF THE NON-CREAMY
LAYER CERTIFICATE DATED

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17.03.2023 ISSUED BY THE VILLAGE
OFFICER, PALLIPPURAM

EXHIBIT P8 A TRUE COPY OF THE INCOME
CERTIFICATE DATED 15.03,.2023
ISSUED BY THE VILLAGE OFFICER
PALLIPURAM

EXHIBIT P9 A TRUE COPY OF THE NON-CREAMY
LAYER CERTIFICATE DATED
25.03.2023 ISSUED TO THE
PETITIONER BY THE TAHASILDAR,
THIRUVANANTHAPURAM

EXHIBIT P10 A TRUE COPY OF THE PETITIONER'S
AADHAAR CARD NO.710556568742

EXHIBIT P11 A TRUE COPY OF THE REQUEST DATED
29.07.2023 SUBMITTED BY THE
PETITIONER BEFORE THE 3RD
RESPONDENT

RESPONDENTS EXHIBITS : NIL

//TRUE COPY//

PA TO JUDGE