

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE C.S.DIAS

Tuesday, the 19th day of August 2025 / 28th Sravana, 1947

WP(C) NO. 29777 OF 2025(V)

PETITIONER:

DR. SIVAPRASAD AGED 59 YEARS S/O. LATE P.R. RAVI VARMA, VICE-CHANCELLOR, THE APJ ABDUL KALAM TECHNOLOGICAL UNIVERSITY, CET CAMPUS, THIRUVANANTHAPURAM, RESIDING AT CHINTAMANI GRIHAM, THRIKKAKARA TEMPLE ROAD, HARITHA NAGAR, HOUSE NO. 45, COCHIN UNIVERSITY P.O., ERNAKULAM DISTRICT, PIN - 682022

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM , PIN - 695001
2. SECRETARY TO GOVERNMENT DEPARTMENT OF FINANCE, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM , PIN - 695001
3. SECRETARY TO GOVERNMENT DEPARTMENT OF HIGHER EDUCATION, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM , PIN - 695001
4. THE DIRECTOR OF TECHNICAL EDUCATION DIRECTORATE OF TECHNICAL EDUCATION, PADMAVILASAM ROAD, FORT, NALUMUKKU, PAZHAVANANGADI, THIRUVANANTHAPURAM, PIN - 695023
5. *ADDL. R5 THE APJ ABDUL KALAM TECHNOLOGICAL UNIVERSITY, CET CAMPUS, THIRUVANANTHAPURAM-695016, REPRESENTED BY ITS REGISTRAR
6. * ADDL. R6. CHANCELLOR, APJ ABDUL KALAM TECHNOLOGICAL UNIVERSITY, KERALA RAJ BHAVAN, THIRUVANANTHAPURAM-695099.[*ADDL. R5 AND R6 ARE IMPEADED AS PER ORDER DATED 19.08.2025 IN IA 1/25 IN WP(C) 29777/2025]
7. *ADDL. R7 PRAVEEN R., AGED 56 YEARS, S/O. P.K. RAMAKRISHNAPANICKER, DEPUTY REGISTRAR (RETIRED), THE APJ ABDUL KALAM TECHNOLOGICAL UNIVERSITY, CET CAMPUS, THIRUVANANTHAPURAM, RESIDING AT NANMA, NEERAZHI LANE, PAPANAMCODE P.O., THIRUVANANTHAPURAM -695018.
8. *ADDL. R8. SUMESH M.G., AGED 47 YEARS, S/O. P. GOPINATH, DEPUTY REGISTRAR THE APJ ABDUL KALAM TECHNOLOGICAL UNIVERSITY, CET CAMPUS, THIRUVANANTHAPURAM, RESIDING AT A1, MCR – 47, TC 9/1177,MANGALAM LANE, SASTHAMANGALAM, THIRUVANANTHAPURAM -695010. [*ADDL. R7 AND R8 ARE IMPEADED AS PER ORDER DATED 19.08.2025 IN IA-2/25 IN WP(C) 29777/25]

1.

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct respondent Nos. 2, 3 and 4 to attend the 66th Syndicate meeting of the APJ Abdul Kalam Technological University, scheduled to be held on 13th August, 2025, as per Exhibit P13, pending disposal of the writ petition.

This petition again coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and this court's order dated 12.08.2025 and upon hearing the arguments of M/S GEORGE POONTHOTTAM (SR.) along with NISHA GEORGE, A.L.NAVANEETH KRISHNAN & KAVYA VARMA M.M., Advocates for the petitioner P.SREEKUMAR (SR.) & ADVOCATE S PRSANATH FOR R6, by memo K.R. GANSESH for ADDL. R5 and R6 (B/O), STATE ATTORNEY for R1 to R4 (By Order), the court passed the following:



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C.S.DIAS, J.**W.P.(C) No. 29777 of 2025****Dated this the 19th day of August, 2025****O R D E R****I.A.No.1 of 2025**

Adv.K.R.Ganesh enters appearance for respondents 5 and 6. He submits that respondents 5 and 6 have no objection in them being impleaded as additional respondents 5 and 6 in the writ petition.

Heard.

For the reasons stated in the affidavit in support of the application, the application is allowed. The additional respondents 5 and 6 in the application are impleaded as additional respondents 5 and 6 in the writ petition. The Registry to carry out the impleadment, both in the physical copy as well as the Metadata.

I.A.No.2 of 2025

The application is filed to implead the applicants as

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additional respondents in the writ petition.

The learned counsel appearing for the 1st respondent in the application submits that he has no objection in the applicants being impleaded as additional respondents.

Heard.

For the reasons stated in the affidavit in support of the application, the application is allowed. The applicants in the application are impleaded as additional respondents 7 and 8 in the writ petition. The Registry to carry out the impleadment, both in the physical copy as well as the Metadata.

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INTERIM RELIEF

The writ petition is filed seeking the following reliefs:

- i) Issue a writ of mandamus directing the respondent Nos.2, 3 and 4 to attend the 66th Syndicate meeting of the

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APJ Abdul Kalam Technological University, scheduled to be held on 13th August, 2025, as per Exhibit P13;

ii) Issue a writ declaring that the repeated disbursal of the Syndicate meetings by the respondent Nos.2, 3 and 4 are intentional and arbitrary, forgetting their duty and obligation as public servants;

iii) Issue a writ declaring that the repeated abstinence of respondent Nos.2, 3 and 4 from attending the Syndicate meeting of the APJ Abdul Kalam Technological University has caused administrative stalemate in the APJ Abdul Kalam Technological University;

iv) Dispense with the filing of English translation of vernacular documents;

v) To grant such other relief as this Honourable Court may deem fit in the circumstances of the case.

2. The petitioner has also prayed for the following interim relief:

For the reasons stated in the writ petition it is most respectfully prayed that this Honourable Court may be pleased to direct respondent Nos.2, 3 and 4 to attend the 66th Syndicate meeting of the APJ Abdul Kalam Technological University, scheduled to be held on 13th August, 2025, as per Exhibit P13, pending disposal of the writ petition.

3. Heard.

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4. The learned Senior Counsel for the petitioner submits that, the employees and the pensioners of the 5th respondent-University are being put to severe financial hardship because salaries/pension are not being paid because the Syndicate meetings of the University is not been held due to the wilfull absence of the respondents 2 to 4 in the meetings. Hence, the respondents 2 to 4 may be directed to attend the 66th Syndicate meeting of the University.

5. The learned State Attorney vehemently opposes the above submission. He contends that the writ petition itself has become infructuous, because the date of the proposed Syndicate meeting was on 13.08.2025, which is over. Moreover, the Honourable Supreme Court, by its order dated 18.08.2025 in S.L.A. (C) Nos.20680-20681/2025, has appointed a Former Judge of the Supreme Court as Chairperson of the Search-cum-Selection Committee to select the Vice-

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Chancellor of the 5th respondent-University. Therefore, the petitioner has no *locus standi* to prosecute the writ petition. The dispute is sub-judice before the Honourable Supreme Court. The State Attorney seeks a week's time to file a counter-affidavit and also to produce the orders passed by the Honourable Supreme Court.

On a consideration of the facts and the materials on record, particularly, that the interim relief sought for in the writ petition is identical to the main relief, that the date of the proposed meeting is over and the Honourable Supreme Court appointing a Former Judge of the Supreme Court as Chairperson of the Search-cum-Selection Committee to appoint the Vice-Chancellor of the University, I am not satisfied that the petitioner has fulfilled the trinity parameters entitling him to an interim relief. Hence, the petitioner's prayer for an interim relief is declined.

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Post on 15.09.2025.

Handover.

Sd/-

C.S.DIAS, JUDGE

dkr



APPENDIX OF WP(C) 29777/2025

Exhibit P13

**A TRUE COPY OF THE E-MAIL COMMUNICATION DATED
07.08.2025 ISSUED BY THE REGISTRAR OF THE APJ ABDUL
KALAM TECHNOLOGICAL UNIVERSITY**

