



2026:KER:26333

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

THURSDAY, THE 26TH DAY OF MARCH 2026 / 5TH CHAITHRA, 1948

WP(C) NO. 36822 OF 2025

PETITIONER:

DR. VINU THOMAS
AGED 53 YEARS
S/O. CHACKO N. THOMAS,
NANTHIKATTU HOUSE,
NEAR ST. ANTONY'S CHURCH, SHANTIPURAM-99,
THRIKKAKARA P.O., VAZHAKKALA VILLAGE,
ERNAKULAM DISTRICT,
SERVING AS DEAN (ACADEMIC) AND CONTROLLER OF
EXAMINATIONS (IN CHARGE),
APJ ABDUL KALAM TECHNOLOGICAL UNIVERSITY,
SCHOOL OF MANAGEMENT BUILDING, CET CAMPS,
THIRUVANANTHAPURAM, PIN - 695016

BY ADVS.
SRI.BABU JOSEPH KURUVATHAZHA
SMT.ARCHANA K.S.
SRI.NOEL EALIAS

RESPONDENTS:

1 STATE OF KERALA
REPRESENTED BY ITS PRINCIPAL SECRETARY TO GOVERNMENT,
DEPARTMENT OF HIGHER EDUCATION,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001



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- 2 INSTITUTE OF HUMAN RESOURCES DEVELOPMENT
PRAJOE TOWERS, VAZHUTHACAUD,
THIRUVANANTHAPURAM,
REPRESENTED BY ITS DIRECTOR,
PIN - 695014
- 3 ALL INDIA COUNCIL FOR TECHNICAL EDUCATION
(AICTE)
NELSON MANDELA ROAD,
VASANT KUNJ, NEW DELHI,
REPRESENTED BY ITS DIRECTOR,
PIN - 110067
- 4 SMT. ISHITA ROY
IAS, DIRECTOR,
CENTRE FOR CONTINUING EDUCATION KERALA,
ANATHARA LANE, CHARACHIRA, KOWDIAR P.O.,
THIRUVANANTHAPURAM,
(FORMER PRINCIPAL SECRETARY,
HIGHER EDUCATION DEPARTMENT),
PIN - 695003
- 5 PROF. SAJI GOPINATH
PROFESSOR, QUANTITATIVE METHODS & OPERATIONS
MANAGEMENT,
INDIAN INSTITUTE OF MANAGEMENT KOZHIKODE
(IIMK), IIMK CAMPUS, P.O. KUNNAMANGALAM,
KOZHIKODE, KERALA
(FORMER VICE CHANCELLOR,
DIGITAL UNIVERSITY), PIN - 673570
- 6 DR. SHALIJ P.R.
ACADEMIC DIRECTOR,
VIDYA ACADEMY OF SCIENCE & TECHNOLOGY (VAST),
THALAKOTTUKARA P.O., KECHERY,
THRISSUR, KERALA
(FORMER DIRECTOR OF TECHNICAL EDUCATION),
PIN - 680501
- 7 DR. P.G. SANKARAN
EMERITUS PROFESSOR,



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DEPARTMENT OF STATISTICS,
COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY,
CUSAT P.O., KOCHI
(FORMER VICE CHANCELLOR, CUSAT),
PIN - 682022

- 8 DR. SUNIL T.T.
DIRECTOR, ICFOS SWATHANTRA,
GROUND FLOOR, SOUTH PAVILION SPORTS HUB,
KARIYAVATTOM, THIRUVANANTHAPURAM,
PIN - 695581
- 9 DR. SMITHA DHARAN
PRINCIPAL, COLLEGE OF ENGINEERING,
KARUNAGAPPALLY, THODIYOOR P.O.,
KOLLAM DISTRICT, KERALA,
PIN - 690523
- 10 DR. V.A. ARUN KUMAR
S/O LATE V.S ACHUTHANATHAN,
ADDITIONAL DIRECTOR,
(IN-CHARGE) OF DIRECTOR (IN-CHARGE),
INSTITUTE OF HUMAN RESOURCES DEVELOPMENT,
PRAJOE TOWERS, VAZHUTHACAUD,
THIRUVANANTHAPURAM, PIN - 695014

BY ADVS.
SRI.M.RAJAGOPALAN NAIR, STANDING COUNSEL, IHRD
SRI.ANTONY MUKKATH, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY
HEARD ON 10.03.2026, THE COURT ON 26.03.2026 DELIVERED
THE FOLLOWING:



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N. NAGARESH, J.

.....
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.....

Dated this the 26th day of March, 2026

J U D G M E N T

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The petitioner, who is serving as Dean (Academic) and Controller of Examinations (in charge) of the APJ Abdul Kalam Technological University has filed this writ petition seeking to direct the 1st respondent to effect appointment to the post of Director of the 2nd respondent-Institute of Human Resources Development (IHRD) in pursuance of Ext.P27 notification, from Ext.P30 score, on cancelling / discarding 15 marks awarded to the 10th respondent.



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2. The petitioner states that he joined in service under the 2nd respondent-Institute of Human Resources Development (IHRD) as Lecturer on contract basis on 21.06.1995. His service was regularised on 08.09.1998. He was given the scale of Senior Grade Lecturer on 28.04.2004. The petitioner was promoted as Assistant Professor on 19.07.2007 and as Professor on 09.09.2016.

3. The Government issued Ext.P6 G.O. dated 30.06.1986 for establishing IHRD, an autonomous institute for manpower development in electronics. Ext.P7 is the Memorandum of Association and the Rules and Regulations relating to IHRD. The petitioner states that under Exts.P6 and P7, the statutory authority to frame the rules is the governing body of the IHRD.

4. The IHRD issued Ext.P27 notification dated 04.03.2024 inviting applications for the post of Director,



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IHRD. No candidate was recommended for appointment pursuant to Ext.P27 on the ground that no one could secure 60 marks. The petitioner states that no minimum marks in interview was insisted by the 1st respondent in Ext.P27 notification. Therefore, the omission on the part of the respondents to recommend a candidate to the post of Director, IHRD is highly arbitrary and ill-motivated.

5. The petitioner states that the 10th respondent has no experience in teaching and has never guided any student in research. However, the 10th respondent was awarded 5 marks for teaching experience and 10 marks for research experience. This is illegal. Respondents 4 to 7 have no authority or jurisdiction to fix the minimum marks for appointment to the post of Director, IHRD. The petitioner has M.Tech and PhD. Ext.P5 Resume of the petitioner would establish that the petitioner has presented papers in various international and national



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conferences. The respondents are therefore compellable to fill up the post of Additional Director, IHRD, contended the petitioner.

6. The 2nd respondent filed counter affidavit. The 2nd respondent stated that earlier, after due process of selection, the 10th respondent was appointed as Additional Director (Administration and Planning). Dr. Suresh was appointed as Additional Director (Engineering Colleges and MPTCS Stream) and Dr. V.P. Devassia as Additional Director (CASS, THSS, RCs and EXPN Centres) in the year 2010. There is no illegality committed by the respondents in the recruitment process which is the subject matter of this writ petition.

7. I have heard the learned counsel for the petitioner and the learned Government Pleader representing the 1st respondent. I have also heard the learned Standing Counsel appearing for the 2nd respondent.



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8. The petitioner responded to Ext.P27 notification dated 04.03.2024 and applied for appointment to the post of Director, Institute of Human Resources Development. The selection was to be done by the Government on the recommendation of Selection Committee. As no appointment was effected pursuant to Ext.P27 notification, the petitioner filed W.P.(C) No.6809/2024.

9. When the said writ petition came up for hearing, it was submitted that selection proceedings for appointment to the post of Director in IHRD were carried forward but no suitable person could be identified for appointment as Director. The writ petition was disposed of leaving open all legal contentions.

10. The petitioner has now filed the writ petition seeking to direct the 1st respondent to effect appointment to the post of Director in pursuance to Ext.P27 notification, from Ext.P30 score, on cancelling/discarding 5 marks awarded for



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teaching experience and 10 marks for research experience to the 10th respondent forthwith.

11. The argument of the petitioner is that the 10th respondent has no experience in teaching and he never guided any student in research. Therefore, awarding of marks to the 10th respondent for teaching and research experience is illegal. In Ext.P27 notification, no minimum score/marks was insisted for appointment and therefore the Select Committee has no jurisdiction/authority to insist for minimum 60 marks for appointments after commencing the selection process. The 2nd respondent has appointed the 10th respondent as Assistant Director because of political clout. Exts.P13, P16, P19, P20, P22, P23 and P26 proceedings/orders are unsustainable.

12. It has come out from the pleadings that the 2nd respondent-IHRD has proceeded with the selection. The IHRD fixed 60% cut off marks for selection. After the



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selection process, the IHRD has found that none of the candidates have secured the prescribed cut off marks. Therefore, no appointment was done to the post of Director pursuant to Ext.P27 notification.

13. When none of the candidates have secured the minimum cut off prescribed by the institution, the argument of the petitioner that the 10th respondent has no experience in teaching and awarding of 5 marks for teaching experience and 10 marks for research experience, is inconsequential. Since even with those marks the 10th respondent was found not fit for selection and appointment. As none of the candidates were found fit in the selection process, it would be a futile exercise for this Court to go into the legality of the marks awarded to the 10th respondent.

14. The further contention of the petitioner is that in Ext.P27 notification, no minimum score/marks was insisted for appointment to the post of Director, IHRD and



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hence the Select Committee has no jurisdiction or authority to insist for minimum 60 marks for appointment. The argument of the petitioner is unacceptable. In a recruitment notification, the institution/employer is not expected to or legally bound to disclose the marks to be obtained by a candidate for selection in the recruitment process. In this case, it has to be noted that the selection is for appointment to a superior managerial post of Director. The Institution or the Select Committee will be free to fix a minimum standard for recruitment to such a crucial post under the IHRD. The cut off mark of 60 prescribed therefore cannot be treated as illegal or arbitrary.

15. The petitioner would urge that the 10th respondent was appointed as Assistant Director in pursuance to Ext.P12 notification when he was not an employee under the IHRD in a substantive post. The challenge in this writ petition relates to appointment to the post of Director.



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Therefore, as long as the 10th respondent is not appointed to that post, there is no reason for this Court to interfere with the selection process. The 10th respondent was appointed as Assistant Director long ago in the year 1997. The petitioner cannot question that appointment at this distance of time, in order to challenge the outcome of Ext.P27 notification.

In the afore circumstances, I do not find any merit in the writ petition. The writ petition is hence dismissed.

Sd/-

N. NAGARESH, JUDGE

aks/24.03.2026



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APPENDIX OF WP(C) NO. 36822 OF 2025

PETITIONER'S EXHIBITS

Exhibit-P1	TRUE COPY OF THE ORDER NO.EA2/14684/2017/HRD DATED 11.6.2018 ISSUED BY THE 2ND RESPONDENT, DECLARING THE PROBATION OF THE PETITIONER IN THE CADRE OF PROFESSOR.
Exhibit-P2	TRUE COPY OF THE ORDER OF APPOINTMENT BEARING U.O. NO.2599/2022/KTU DATED 15.10.2022 ISSUED BY THE VICE CHANCELLOR OF APJ ABDUL KALAM TECHNOLOGICAL UNIVERSITY, THIRUVANANTHAPURAM, PLACING THE PETITIONER AS DEAN (ACADEMIC).
Exhibit-P3	TRUE COPY OF THE RANK CERTIFICATE ISSUED BY CUSAT DATED 2.8.2001 TO THE PETITIONER, PERTAINING TO HIS 1ST RANK FOR M.TECH.
Exhibit-P4	TRUE COPY OF THE PH.D. CERTIFICATE DATED 16.11.2009 OF THE PETITIONER, ISSUED BY THE VICE CHANCELLOR, CUSAT.
Exhibit-P5	TRUE COPY OF THE RESUME OF THE PETITIONER.
Exhibit-P6	TRUE COPY OF G.O.(MS) NO.187/86/H.EDN. DATED 30.6.1986 ISSUED BY THE 1ST RESPONDENT.
Exhibit-P7	G.O.(MS) NO.12/87/HEDN. DATED 14.1.1987 ISSUED BY THE 1ST RESPONDENT, CONTAINING THE MEMORANDUM OF ASSOCIATION.
Exhibit-P8	TRUE COPY OF THE CERTIFICATE OF REGISTRATION DATED 28.1.1987 ISSUED BY THE REGISTRAR OF SOCIETIES.
Exhibit-P9	TRUE COPY OF THE ORDER DATED 13.10.1997 ISSUED BY THE DIRECTOR OF THE 2ND RESPONDENT.
Exhibit-P10	TRUE COPY OF THE RELEVANT PAGES OF THE SPECIAL RULES FOR IHRDE SERVICE,



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- PUBLISHED BY THE 2ND RESPONDENT.
- Exhibit-P11 TRUE COPY OF THE DEGREE OF MASTER OF
COMPUTER APPLICATIONS (MCA)
CERTIFICATE DATED 22.10.1996 ISSUED BY
THE UNIVERSITY OF KERALA TO THE 10TH
RESPONDENT.
- Exhibit-P12 TRUE COPY OF THE NOTIFICATION
NO.E1/2942/97/HRD DATED 2.4.1997
PUBLISHED BY THE 2ND RESPONDENT IN THE
MATHRUBHUMI DAILY DATED 12.4.1997.
- Exhibit-P13 TRUE COPY OF THE ORDER
NO.E4/1521/2002/HRD DATED 3.9.2002
ISSUED BY THE 2ND RESPONDENT, WITH ITS
TYPED COPY, PRESCRIBING THE
QUALIFICATION TO THE POST OF
PRINCIPAL, COLLEGE OF APPLIED SCIENCE.
- Exhibit-P14 TRUE COPY OF THE RELEVANT PORTION OF
G.O.(P) NO.171/99/H.EDN. DATED
21.12.1999 ISSUED BY THE GOVERNMENT OF
KERALA.
- Exhibit-P15 TRUE COPY OF THE RELEVANT PAGES OF THE
NOTIFICATION D.O.NO.F3-1/2000 (PS)
DATED 4.4.2000, PRESCRIBING THE
QUALIFICATION TO THE POST OF PRINCIPAL
OF COLLEGES, INSISTED BY THE UGC.
- Exhibit-P16 TRUE COPY OF THE ORDER
NO.E2/6357/99/HRD DATED 25.10.1999
ISSUED BY THE 2ND RESPONDENT, AMENDING
THE METHOD OF APPOINTMENT OF JOINT
DIRECTORS, IHRD.
- Exhibit-P17 TRUE COPY OF THE JUDGMENT OF THIS
HON'BLE COURT DATED 2.7.2009 IN W.P.
(C) NO.16655/2007.
- Exhibit-P18 TRUE COPY OF THE CIRCULAR
NO.EA3/8999/2007/HRD DATED 13.7.2009
ISSUED BY THE 2ND RESPONDENT, WITH ITS
TYPED COPY.
- Exhibit-P19 TRUE COPY OF THE RELEVANT PAGES OF THE
DECISION OF THE EXECUTIVE COMMITTEE OF
THE 2ND RESPONDENT HELD ON 27.7.2009,
INCLUDING THE AMENDMENT PROPOSED TO



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	THE METHOD OF APPOINTMENT OF ADDITIONAL DIRECTORS IN IHRD.
Exhibit-P20	TRUE COPY OF THE PROCEEDING NO.EA3/8999/2007/HRD DATED 30.7.2009 ISSUED BY THE 2ND RESPONDENT, CANCELLING EXT.P18 CIRCULAR, TO SELECT THE ADDITIONAL DIRECTOR IN IHRD.
Exhibit-P21	TRUE COPY OF THE NOTIFICATION NO.EA3/11609/2010/HRD DATED 13.9.2010 ISSUED BY THE 2ND RESPONDENT.
Exhibit-P22	TRUE COPY OF THE ORDER NO.EA4/1846/2015/HRD DATED 18.2.2015 ISSUED BY THE 2ND RESPONDENT.
Exhibit-P23	TRUE COPY OF THE SPECIAL RULES OF IHRD, TITLED AS 'IHRD SERVICE SPECIAL RULES, 2014'.
Exhibit-P24	TRUE COPY OF THE NOTIFICATION NO.6662/11/2015.H.EDN. DATED 21.7.2015 ISSUED BY THE 1ST RESPONDENT, WITH ITS TYPED COPY, INVITING APPLICATION TO THE POST OF DIRECTOR, IHRD.
Exhibit-P25	TRUE COPY OF THE NOTIFICATION NO.F.61- 1/RIFD/7TH CPC/2016-17 DATED 1.3.2019 PUBLISHED BY THE ALL INDIA COUNCIL FOR TECHNICAL EDUCATION.
Exhibit-P25(a)	TRUE COPY OF G.O.(MS) NO.61/2016/HEDN DATED 29.2.2016 ISSUED BY THE GOVERNMENT OF KERALA, APPOINTING DR. P. SURESH KUMAR, AS DIRECTOR, IHRD.
Exhibit-P25(b)	TRUE COPY OF G.O.(RT) NO.799/2023/HEDN DATED 3.6.2023 ISSUED BY THE GOVERNMENT OF KERALA, APPOINTING THE 10TH RESPONDENT AS ADDITIONAL DIRECTOR IN-CHARGE OF DIRECTOR, IHRD.
Exhibit-P26	TRUE COPY OF G.O.(MS) NO.687/2023/HEDN DATED 13.12.2023, ISSUED BY THE GOVERNMENT OF KERALA, AMENDING EXT.P23 SPECIAL RULES.
Exhibit-P27	TRUE COPY OF THE NOTIFICATION NO.HEDN- J1/8/2024-HEDN DATED 4.3.2024 ISSUED BY THE GOVERNMENT OF KERALA, INVITING



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	APPLICATIONS TO THE POST OF DIRECTOR, IHRD.
Exhibit-P27(a)	TRUE COPY OF THE ORDER OF THIS HON'BLE COURT DATED 12.4.2024 IN W.P.(C) NO.14391/2024.
Exhibit-P28	TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT DATED 14.03.2025 IN W.P. (C) NO.6809/2024.
Exhibit-P29	TRUE COPY OF THE MINUTES OF THE INTERVIEW CONDUCTED ON 9.10.2024 IN PURSUANCE TO EXT.P27 NOTIFICATION.
Exhibit-P30	TRUE COPY OF THE SCORE SHEET ENCLOSED ALONG WITH EXT.P29.
Exhibit-P31	TRUE COPY OF THE REPRESENTATION DATED 08.08.2025 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.