



2025:KER:63310

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K. NARENDRAN

&

THE HONOURABLE MR. JUSTICE MURALEE KRISHNA S.

THURSDAY, THE 21ST DAY OF AUGUST 2025 / 30TH SRAVANA, 1947

WA NO. 2051 OF 2025

AGAINST THE ORDER DATED 19.08.2025 IN W.P. (C) NO.29777 OF

2025 OF HIGH COURT OF KERALA

APPELLANT/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

BY ADVS.

SMT.NISHA GEORGE

SRI.GEORGE POONTHOTTAM (SR.)

SMT.KAVYA VARMA M. M.

SRI.A.L.NAVANEETH KRISHNAN

RESPONDENTS/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 OF 25 IN W.P.(C)
29777 OF 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.

OTHER PRESENT:

SRI. MANOJ KUMAR N., STATE ATTORNEY;
SRI. P. SREEKUMAR, SR. COUNSEL FOR KERALA
UNIVERSITY, SRI. K.R. GANESH, SC, APJ ABDUL KALAM
UNIVERSITY

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON
21.08.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



JUDGMENT

Anil K. Narendran, J.

The petitioner in W.P.(C)No.29777 of 2025 has filed this writ appeal, invoking the provisions under Section 5(i) of the Kerala High Court Act, 1958, challenging the interim order dated 19.08.2025 of the learned Single Judge in that writ petition, whereby the interim relief sought for was declined, for the reasons stated therein.

2. The petitioner, who is the Vice Chancellor of APJ Abdul Kalam Technological University, has filed W.P.(C)No.29777 of 2025, invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, 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 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;" (underline supplied)

3. The interim relief sought for in W.P.(C)No.29777 of 2025 reads thus;

"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."

(underline supplied)

4. On 12.08.2025 when the writ petition came up for consideration, the learned Single Judge admitted the matter on file. The learned Special Government Pleader took notice for the respondents, i.e., respondents 1 to 4. The learned Single Judge directed the petitioner to file an application to implead the APJ Abdul Kalam Technological University as an additional respondent and the respondents were directed to file their counter affidavit, if any, and listed the matter to 19.08.2025.

5. On 19.08.2025, by the order in I.A.No.2 of 2025, the learned Single Judge impleaded APJ Abdul Kalam Technological University, represented by its Registrar, the Chancellor of the said University and two others as additional respondents 5 to 8. By the impugned order dated 19.08.2025, the learned Single Judge



declined the interim relief sought for in the writ petition.

"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.P.(C)Nos.20680-20681 of 2025, has appointed a Former Judge of the Supreme Court as Chairperson of the Search-cum-Selection Committee to select the Vice-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."

6. Heard the learned Senior Counsel for the appellant-petitioner, the learned State Attorney for respondents 1 to 4, the learned Standing Counsel for APJ Abdul Kalam Technological University for the 5th respondent, the learned Senior Counsel for the 6th respondent Chancellor of APJ Abdul Kalam Technological University and also the learned counsel for respondents 7 and 8.

7. The issue that requires consideration in this writ appeal is as to whether any interference is warranted in the impugned order dated 19.08.2025 of the learned Single Judge in W.P.(C)No.29777 of 2025.

8. During the course of arguments, the learned Senior Counsel for the appellant-petitioner would point out the stalemate existing in the administration of the University on account of the issues pointed out in the writ petition. On the other hand, the learned State Attorney would point out the order of the Apex Court dated 18.08.2025 in SLP(C)Nos.20680-81 of 2025 arising out of the judgment of this Court dated 14.07.2025 in W.A.Nos.1160 of 2025 and 1165 of 2025, which was one rendered by a Division Bench, in which one among us [Anil K. Narendran, J.] was a party.



9. In the last paragraph of the aforesaid judgment dated 14.07.2025 in W.A.Nos.1160 and 1165 of 2025, the Division Bench expressed its concern on the stalemate existing in the administration of APJ Abdul Kalam Technological University and Kerala University of Digital Sciences, Innovation and Technology. The last paragraph of that judgment, which is extracted in the order of the Apex Court dated 18.08.2025 in SLP(C)Nos.20680-81 of 2025 and also in the previous order dated 30.07.2025, read thus;

"Considering the stalemate existing in the administration of the Technological University and the Digital University, which is continuing for a considerably long period, and which had an adverse impact on the functioning of the said Universities and the interest of the student community, we are of the view that the Chancellor as well as the State Government will have to act proactively, to ensure that regular appointment to the post of Vice-Chancellor in the said Universities are made, without any further delay."

10. As already noticed hereinbefore, the interim relief sought for in the writ petition was one with specific reference to the 66th Syndicate Meeting of APJ Abdul Kalam Technological University, scheduled to be held on 13.08.2025, as per Ext.P13 e-mail communication dated 07.08.2025 issued by the Registrar of the said University. On 19.08.2025, when the learned Single Judge



considered that interim relief, after the impleadment of the University, its Chancellor and two others as additional respondents 5 to 8, the interim relief sought for in the writ petition has become infructuous. After considering the rival contentions and taking note of the order dated 18.08.2025 of the Apex Court in SLP(C)Nos.20680-81 of 2025, the learned Single Judge declined the interim relief sought for in W.P.(C)No.29777 of 2025, for the reasons stated in the last paragraph of that order, which we have quoted hereinbefore at paragraph 5.

11. Having considered the submissions made at the Bar, we find that the reasoning of the learned Single Judge in the impugned order dated 19.08.2025 in W.P.(C)No.29777 of 2025 for declining the interim relief sought for in that writ petition in neither perverse nor patently illegal, warranting an interference in this writ appeal.

In the result, this writ appeal fails and the same is accordingly dismissed.

Sd/-
ANIL K. NARENDRA, JUDGE

Sd/-
MURALEE KRISHNA S., JUDGE