



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON

WEDNESDAY, THE 17TH DAY OF JUNE 2026 / 27TH JYAISHTA, 1948WP(C) NO.1409 OF 2022PETITIONER:

DR. JOSEPH SKARIAH, AGED 52 YEARS,
S/O. LATE C.J. SKARIAH, CHIRAKUZHY, THURUTHY P.O.,
CHANGANASSERY, PIN-686533, KOTTAYAM DISTRICT.

BY ADVS.
SRI. SANTHARAM. P
SMT. REKHA ARAVIND
SRI. P. G. GOKULNATH

RESPONDENTS:

- 1 VICE CHANCELLOR (SELECTION COMMITTEE CHAIRMAN),
CALICUT UNIVERSITY, TIRUR-CALICUT ROAD, THENHIPALAM,
PIN-673636, MALAPPURAM DISTRICT.
- 2 SECRETARY, HIGHER EDUCATION DEPARTMENT,
4TH FLOOR, ANNEX II, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.

ADDL. R3 C. J. GEORGE, AGED 57 YEARS,
S/O. JOSEPH, RESIDING AT 168/V, CHEENKALLEL HOUSE,
MATTANODE, KOORACHUND VIA, KOZHIKODE DT.,
POST - 673 527.

(ADDL. R3 IS IMPEADED AS PER ORDER DATED 10.02.2022
IN IA NO.1/2022 IN WP(C) NO.1409/2022)

ADDL. R4 REGISTRAR, CALICUT UNIVERSITY,
TIRUR-CALICUT ROAD, THENHIPALAM, PIN-673636,
MALAPPURAM DISTRICT.

(ADDL. R4 IS IMPEADED AS PER ORDER DATED 22-08-2022
IN IA 6/2022 IN WP(C) 1409/2022)

ADDL. R5 DR. JYOTHISH KUMAR K., AGED 51 YEARS,
S/O. N. KRISHNAPILLAI, RESIDING AT TC 55/1029(3),
URVANA, AKSHAYA NAGAR, NEERMANKARA, KAIMANAM P.O.,



THIRUVANANTHAPURAM-695040.

(ADDL.R5 IMPLAED VIDE ORDER DATED 29-1-24 IN IA 3/22
IN W.P.(C)1409/22)

BY ADVS.

SHRI.P.C.SASIDHARAN, SC

SHRI.P.K.IBRAHIM

KUM.SREEJI K.B.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01.06.2026, ALONG WITH WP(C).28332/2022, 9236/2024 AND CONNECTED CASES, THE COURT ON 17.06.2026 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON

WEDNESDAY, THE 17TH DAY OF JUNE 2026 / 27TH JYAISHTA, 1948

WP(C) NO.28332 OF 2022

PETITIONER:

DR.JOSEPH SKARIAH, AGED 52 YEARS,
S/O. LATE C.J. SKARIAH, CHIRAKUZHY, THURUTHY (P.O.),
CHANGANASSERY, KOTTAYAM DISTRICT, PIN-686535.

BY ADVS.
SRI.GEORGE POONTHOTTAM (SR.)
SRI.SANTHARAM.P
SMT.REKHA ARAVIND
SRI.P.G.GOKULNATH

RESPONDENTS:

- 1 THE UNIVERSITY OF CALICUT,
REP. BY ITS REGISTRAR, CALICUT UNIVERSITY (P.O.),
THENJIPALAM, MALAPPURAM DISTRICT, PIN-673635.
- 2 THE VICE CHANCELLOR(SELECTION COMMITTEE CHAIRMAN),
UNIVERSITY OF CALICUT, CALICUT UNIVERSITY (P.O.),
THENJIPALAM, MALAPPURAM DISTRICT, PIN-673635.
- 3 THE CHAIRMAN, UNIVERSITY GRANTS COMMISSION (UGC),
BAHDUR SHAH ZAFAR HARG, NEW DELHI-110000.

BY ADV.SRI.S.KRISHNAMOORTHY, CGC
BY SRI.P.C.SASIDHARAN, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01.06.2026, ALONG WITH WP(C).1409/2022 AND CONNECTED CASES, THE COURT ON 17.06.2026 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON

WEDNESDAY, THE 17TH DAY OF JUNE 2026 / 27TH JYAISHTA, 1948

WP(C) NO.9236 OF 2024

PETITIONER:

DR.JYOTHISHKUMAR K., AGED 55 YEARS,
S/O.N.KRISHNA PILLAI, RESIDING AT TC 55/2029 (3),
URVARA, AKSHAYA NAGAR, NEERAMANKARA, KAIMANAM P.O.,
THIRUVANANTHAPURAM, PIN - 695040.

BY ADVS.
SHRI.P.CHANDRASEKHAR
SHRI. ANOOP KRISHNA
SHRI.C.RAMAN
SRI.ANAND SANKAR
SMT.REGIMOL M.K.
SMT.PRATHEEKSHA RAJ
SMT.JENNY THANKAM

RESPONDENTS:

- 1 UNIVERSITY OF CALICUT,
REPRESENTED BY ITS REGISTRAR, THENHIPALAM,
CALICUT UNIVERSITY P.O., MALAPPURAM DISTRICT,
PIN - 673636.
- 2 VICE CHANCELLOR, (SELECTION COMMITTEE CHAIRMAN),
UNIVERSITY OF CALICUT, THENHIPALAM, CALICUT UNIVERSITY PO,
MALAPPURAM DISTRICT, PIN - 673636.
- 3 THE UNIVERSITY GRANTS COMMISSION (UGC),
REPRESENTED BY ITS SECRETARY, BAHADUR SHAH SAFAR MARG,
NEW DELHI, EMAIL -UGC@NIC., PIN - 110002.
- 4 DR.JOSEPH SKARIAH,
S/O.CJS SKARIAH, CHEERAKUZHY TURUTHY PO,
CHANGANASSERY, KOTTAYAM DISTRICT, PIN - 686535.
- 5 DR.SHEEBA N KURIAN, ASSOCIATE PROFESSOR,
DEPARTMENT OF MALAYALAM UNIVERSITY OF KERALA,
KARIAVATTOM, THIRUVANANTHAPURAM, PIN - 695581.



- 6 THE DIRECTOR OF SCHOOL OF LANGUAGES,
UNIVERSITY OF CALICUT THENHIPALAN,
CALICUT UNIVERSITY P.O., MALAPPURAM DISTRICT,
PIN - 673636.
- 7 THE DEAN OF LANGUAGES, UNIVERSITY OF CALICUT,
THENHIPALAM, CALICUT UNIVERSITY P.O.,
MALAPPURAM DISTRICT, PIN - 673636.

BY ADVS.

SHRI.S.KRISHNAMOORTHY, SC, UNIVERSITY GRANTS COMMISSION -
UGC

SRI.SANTHARAM.P

SMT.REKHA ARAVIND

SRI.P.G.GOKULNATH

SRI.P.C.SASIDHARAN, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01.06.2026, ALONG WITH WP(C) .1409/2022 AND CONNECTED CASES, THE COURT ON 17.06.2026 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON

WEDNESDAY, THE 17TH DAY OF JUNE 2026 / 27TH JYAISHTA, 1948

WP(C) NO. 12531 OF 2024

PETITIONER:

DR.C.J.GEORGE, AGED 59 YEARS,
168/V, CHEENKALLEL HOUSE, MATTANODE,
KOORACHUND VIA, KOZHIKODE DT., PIN - 673527.

BY ADVS.
SHRI.P.K.IBRAHIM
SMT.K.P.AMBIKA
SMT.ZEENATH P.K.
SMT.JABEENA K.M.
SHRI.ANAZ BIN IBRAHIM

RESPONDENTS:

- 1 UNIVERSITY OF CALICUT,
REPRESENTED BY ITS REGISTRAR,
CALICUT UNIVERSITY P.O., MALAPPURAM DISTRICT,
PIN - 673635.
- 2 THE VICE-CHANCELLOR, UNIVERSITY OF CALICUT,
CALICUT UNIVERSITY P.O., MALAPPURAM DISTRICT,
PIN - 673635.
- 3 DR.JOSEPH SKARIA,
ASST. PROFESSOR, DEPT. OF MALAYALAM,
S.B.COLLEGE, CHANGANASSERY, KOTTAYAM,
PIN - 686101.
- 4 DR.JYOTHISH KUMAR K., PROFESSOR,
DEPT. OF MALAYALAM, NSS COLLEGE,
RAJAKUMARI, IDUKKI, PIN - 685619.
- 5 DR.SHEEBA M KURIAN, ASST. PROFESSOR,
DEPT. OF MALAYALAM, UNIVERSITY OF KERALA,
PIN - 695034.



- 6 DR.M.V.NARAYANAN, MEMBER SCREENING COMMITTEE (POST OF PROF. IN MALAYALAM), DIRECTOR, SCHOOL OF LANGUAGES, UNIVERSITY OF CALICUT, CALICUT UNIVERSITY P.O., MALAPPURAM DISTRICT, PIN - 673635.
- 7 DR.K.M.ANIL, MEMBER, SCREENING COMMITTEE (POST OF PROF. IN MALAYALAM) DEAN OF LANGUAGES, UNIVERSITY OF CALICUT, CALICUT UNIVERSITY P.O., MALAPPURAM DISTRICT, PIN - 673635.
- 8 DR. LISSY MATHEW, MEMBER SELECTION COMMITTEE (POST OF PROF. IN MALAYALAM), PROF. DEPT. OF MALAYALAM, SREE SHANKARACHARYA SANSKRIT UNIVERSITY, KALADY, ERNAKULAM, PIN - 683574.
- 9 DR.C.R.PRASAD, MEMBER, SELECTION COMMITTEE (POST OF PROF. IN MALAYALAM), PROF. DEPT. OF MALAYALAM, UNIVERSITY OF KERALA, TRIVANDRUM, PIN - 695034
- 10 DR.M.KRISHNAN NAMBOOTHIRI, MEMBER, SELECTION COMMITTEE (POST OF PROF. IN MALAYALAM) PROF. DEPT. OF MALAYALAM, SREE SHANKARACHARYA SANSKRIT UNIVERSITY, KALADY, ERNAKULAM, PIN - 683574.
- 11 DR.T.ANITHA KUMARI, MEMBER, SELECTION COMMITTEE (POST OF PROF. IN MALAYALAM), PROF. THUNJATH EZHUTHACHAN MALAYALAM UNIVERSITY, TIRUR, MALAPPURAM, PIN - 676502.
- 12 DR.P.SOMANATHAN, MEMBER, SELECTION COMMITTEE (POST OF PROF. IN MALAYALAM), HEAD OF THE DEPARTMENT, PROF. DEPT. OF MALAYALAM AND KERALA STUDIES, UNIVERSITY OF CALICUT, CALICUT UNIVERSITY P.O, MALAPPURAM DISTRICT, PIN - 673635.

BY ADVS.
SRI.SANTHARAM.P
SHRI.PRADEEP KUMAR A.
SMT.REKHA ARAVIND
SRI.P.G.GOKULNATH
SRI.P.C.SASIDHARAN, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01.06.2026, ALONG WITH WP(C).1409/2022 AND CONNECTED CASES, THE COURT ON 17.06.2026 DELIVERED THE FOLLOWING:



JUDGMENT

[WP(C) Nos.1409/2022, 28332/2022, 9236/2024, 12531/2024]

These writ petitions pertain to the appointment to the post of "Professor" in the Department of Malayalam in the University of Calicut.

2. The petitioner in W.P(C) No.12351 of 2024 – Dr.C.J.George - sought an appointment to the post of Professor in the Department of Malayalam in the respondent University, pursuant to Ext.P1 notification dated 31.12.2019. According to him, the essential qualifications as per Ext.P1 were in tune with the requirements under the University Grants Commission (Minimum Qualifications for Appointment of Teachers and Other Academic Staff in Universities and Colleges and Other Measures for the Maintenance of Standards in Higher Education) Regulations, 2018, (hereinafter referred to as "UGC Regulations, 2018") and that the petitioner was qualified in every respect. The last date for submission of the online application, as per Ext.P1, was 05.02.2020. Additionally, the notification required the production of a hard copy of the application, along with supporting documents, on or before 20.02.2020. The petitioner states that he



submitted an application with the required documents through the online mode on 01.02.2020, followed with hardcopy as required by the notification. He states that the Screening Committee, represented by respondents 6 and 7, after verifying the application, sought to issue Ext.P3 interview memo. According to the petitioner, though interview was held and the petitioner as well as others were also interviewed, the rank list was not published, on account of which, the petitioner sought to submit Ext.P6 representation before the Chancellor, raising his concerns, since the petitioner was informed by then reliably that the 3rd respondent herein – Dr.Joseph Skariah - was ranked top in the selection process as informed through the print media. According to the petitioner, the 3rd respondent was so placed, in return for his silence regarding the controversial appointment of Dr.Priya Varghese, the wife of the then Chief Minister's Private Secretary, at Kannur University, against the 3rd respondent's claim. He relied on Ext.P7 series of newspaper reports in support of this contention. In the meantime - the petitioner states – Ext.P8 rank list is also published, wherein the petitioner does not find a place, and respondents 3, 4, and 5 were placed respectively at rank numbers 1, 2, and 3. It is in such circumstances that the petitioner filed



W.P(C) No.12531 of 2024 seeking the following reliefs:

- i. Call for the records leading to Exhibit P8 rank list and quash the same by issuing writ of certiorari or any other appropriate Writ order or direction:
- ii. Declare that petitioner has outstanding merit than the candidates ranked in Ext P8 rank list and is entitled to be ranked first and issue consequential order directing respondents 1 to 3 to recast the rank list of the post of Professor in Malayalam and Kerala Studies placing the petitioner at 1" in the rank and appoint him as Professor in Malayalam and Kerala Studies in the 1" respondent University;
- iii. Dispense with the production of English translation of vernacular documents.

3. W.P(C) No.1409 of 2022 is filed by Dr.Joseph Skariah, who is the 3rd respondent in W.P(C) No.12531 of 2024, pointing out that in response to the very same notification referred to above, he submitted Ext.P2 online application, that on account of some "technical reasons", he could not upload all the supporting credentials that he submitted Ext.P3 covering letter enclosing the supporting credentials and requesting them also to be considered, well before the cut-off date of 20.02.2020, that he was not called for the interview since the application was not processed as the supporting credentials were not submitted online, seeking the following relief:

"Issue a writ of mandamus or any other appropriate order or direction to declare that the petitioner is eligible for the



post of Professor in Malayalam Department at Calicut University of which interview is to be held on 21.01.2022.”

On 18.01.2022, taking note of the rival contentions, this Court issued an interim order. The operative portion of the said interim order reads as under:

“5. Taking into account the assertion of the petitioner that he has more than ten research papers to his credit, the submission that all ten research papers could not be uploaded due to a technical glitch and the fact that the petitioner had submitted the physical copies of the research papers, I deem it appropriate to provide the petitioner with an opportunity to participate in the interview. Hence, there shall be an interim direction to the University to permit the petitioner to provisionally participate in the interview for the post of Professor in the Malayalam Department scheduled to be held on 20.01.2022. Needless to say that this order will not confer any right on the petitioner for appointment, which can only be decided in the writ petition.”

4. Dr. Joseph Skariah, on the basis of the interim order issued by this Court as above, participated in the interview. He states that the appointment for the post of Professor in the Department of Malayalam is being kept on hold and has therefore filed W.P(C) No.28332 of 2022, seeking the following reliefs:

- i. Issue a writ in the nature of mandamus directing the respondent University to effect appointment to the post of Professor in Malayalam following Ext.P1 notification, based on the selection process undertaken on 20.01.2022.



- ii. Issue a writ declaring that the petitioner is not liable to be excluded from the selection process on account of the technical snag of the system since the petitioner satisfied the requirements as provided in the UGC Regulations and as notified in Ext.P1.
- iii. Dispense with filing of the translation of vernacular documents.

5. Dr.Jyothishkumar K., who is ranked at Serial No.2 in the rank list [challenged in W.P(C) No.12531 of 2024 and the 4th respondent in that writ petition] has also filed W.P(C) No.9236 of 2024, seeking to challenge the very same rank list producing the same as Ext.P6 and also seeking for a direction to the University to recast the rank list by placing the petitioner in the first rank and thereby appointing him to the post concerned.

6. I have heard Sri.P.K.Ibrahim, the learned counsel for the petitioner in W.P(C) No.12531 of 2024; Sri. George Poonthottam, the learned senior counsel, instructed by Sri.Gokulnath, the learned counsel for the petitioner in W.P(C) Nos.1409 and 28332 of 2022, as well as Sri.Anoop Krishna, the learned counsel for the petitioner in W.P(C) No.9236 of 2024. I have also heard Sri.P.C.Sasidharan, the learned Standing Counsel for the University of Calicut.



7. Sri.Ibrahim, the learned counsel for the petitioner in W.P(C) No.12531 of 2024, would contend that:

- i. Dr.C.J.George, his client, was superior in qualification than respondents 3, 4, and 5, with reference to the comparative table at Ext.P10, which according to him, has not been disputed by anyone.
- ii. According to him, his client is entitled to be considered both under clauses A and B of Ext.P1 notification.
- iii. The candidature of Dr.Joseph Skariah ought not to have been entertained, since in the online application filed by him, only 9 research papers were uploaded as against the requirement of 10 publications as stipulated in the notification.
- iv. Though Dr.Joseph Skariah had filed W.P(C) No.1409 of 2022, and an interim order was issued on 18.01.2022, there was no direction to consider the "additional documents" produced by him, and hence, the candidature of Dr. Joseph Skariah ought not to have been taken into account.
- v. He would further add that, assuming that the additional documents could not be uploaded by Dr.Joseph Skariah on account of technical reasons, he could have produced the same subsequently by amending the online application. In this regard, he sought to rely on the judgment of a Division Bench of this Court in O.P.(KAT) No.132 of 2019, which held that the negligence of a candidate cannot be condoned.



- vi. As alleged in the writ petition, as well as Ext.P6; it was for accommodating Dr.Priya Varghese in the Kannur University that Dr.Joseph Skariah was sought to be accommodated at the Calicut University, with reference to Ext.P7 series of newspaper reports.
- vii. With reference to Ext.P13 RTI information and Ext.P14 minutes of the Selection Committee, he points out that even the Selection Committee had recommended the petitioner, Dr.C.J.George, considering his eminence in the field atleast as a visiting professor.
- viii. He relied on Exts.P19, 20, and 21 gist of approved journals to contend that all the publications appended along with the application were in approved journals, and hence the candidature of the petitioner ought to have been accepted. There was no justification for the Selection Committee to have excluded the petitioner's candidature.

8. Sri.Poonthottam, the learned senior counsel, appearing for Dr.Joseph Skariah, would contend that:

- i. Even as per the notifications inviting application, though the last date for online application was 05.02.2020, the completed applications - hard copy - requires to be produced before the University by 20.02.2020. He pointed out the clause in the notification which stipulated the "closing date for receipt of online application" as the date for determining eligibility and contended that even before that date, on 31.01.2020, the petitioner had submitted Ext.P3 request before the University, pointing out his inability to upload all the supporting documents.



- ii. He relied on the UGC Regulations, 2018, to contend that in clause 6.0.(IV) the publications could be made available even at the time of the interview, and hence the candidature of the petitioner Dr.Joseph Skariah, was perfectly justifiable.
- iii. He would rely on the fact that Dr.C.J.George would be superannuated by 09.04.2025, and therefore, says that the contentions raised in W.P(C) No.12531 of 2024 are purely academic at this point of time.
- iv. Without prejudice, he would contend that the decision of the Selection Committee has not been challenged by impleading the Selection Committee specifically and therefore, W.P(C) No.12531 of 2024 is not maintainable.

9. Sri.Anoop Krishna, the learned counsel appearing for the petitioner in W.P(C) No.9236 of 2024, would contend that:

- i. As regards Dr.Joseph Skariah, atleast two of his publications were only to be discarded since they were published in certain journals that made references to even publications that have been published subsequent to the journal. For instance, he relied on Ext.P8, a publication dated July and October 2011, which contains a reference to a journal that was published only in 2012. Similarly, as regards Ext.P9 published in 2017, according to him, reference is made to the books published in the year 2020.
- ii. He also sought to rely on the judgment of the Division Bench in O.P.(KAT) No.132 of 2019.

10. The learned Standing Counsel for the University made reference to the counter-affidavits filed and pointed out that:

- i. The candidature of Dr.C.J.George was not considered since



among the 10 publications relied on, only five were published in peer-reviewed journals. Therefore, as the mandatory 10 publications were not available, his candidature was rightly discarded.

- ii. The rank list was prepared by the Selection Committee on the basis of an appropriate assessment of candidates in accordance with UGC Regulations, 2018. Therefore, it is his submission that the rank list requires to be acted upon.

11. I have considered the rival contentions as well as the connected records.

12. The first issue arising for consideration in these writ petitions is whether W.P(C) No.12531 of 2024 filed by Dr.C.J.George requires to be considered, in view of the subsequent developments. As has been noticed earlier, even if Dr.C.J.George was considered for appointment, he would have admittedly superannuated by 09.04.2025. Therefore, as rightly contended by the respondents in that writ petition, the various contentions raised amounts to purely academic in nature. At this juncture, Sri.Ibrahim, the learned counsel, would contend with reference to the provisions of Regulation 2.1 of the Regulations, 2018, that teachers could be re-employed on "contract employment" even beyond the age of superannuation, and hence, in the case at hand, the contention raised by his client requires adjudication. However,



in my opinion, the provisions of Regulation 2.1 would apply only when a teacher is already appointed in the service of the University and not otherwise. In the case at hand, admittedly, the petitioner has not been appointed, and therefore, there is no question of considering his claim for "re-employment" under the Regulation, 2018. Therefore, the contention raised by Sri.Ibrahim does not arise for consideration. In this regard, the principles laid down by the **House of Lords in Sun Life Assurance Company of Canada v. Jervis [1944 AC 111]** to the following effect are relevant:

"I do not think that it would be a proper exercise of the Authority which this House possesses to hear appeals if it occupies time in this case in deciding an academic question, the answer to which cannot affect the respondent in any way. It is an essential quality of an appeal fit to be disposed of by this House that there should exist between the parties to a matter in actual controversy which the House undertakes to decide as a living issue."

To the same effect is the conclusions arrived at by the Apex Court in **R.S.Nayak v. A.R. Antulay [(1984) 2 SCC 183]**. Therefore, I am of the opinion that the contention raised by Dr.C.J.George does not survive for further consideration, and therefore, W.P(C) No.12531 of 2024 is only to be rejected.



13. The reliance placed by Sri.Ibrahim, on the principles laid down by the Apex Court in **Arce Polymers Private Limited v. M/s.Alphine Pharmaceuticals Private Limited and Others [(2022) 2 SCC 221]**, providing for the power to adopt a “remedial course”, would also not be applicable in the light of the afore.

14. The next issue arising for consideration is with reference to the writ petition filed by Dr.Jyothishkumar – W.P(C) No.9236 of 2024. Dr.Jyothishkumar seeks to challenge the rank list at Ext.P6, as per which Dr.Joseph Skariah is placed at Serial No.9. According to him, at least two publications of Dr.Joseph Skariah need to be discarded since they were published in journals which made reference to books published even subsequent to the journals. For instance, Sri.Anoop Krishna sought to rely on SB Academic Review published in 2017, making reference to publications of the year 2020. However, as rightly pointed out by Sri.Poonthottam, the statement of ownership and particulars of the afore book with reference to the provisions of the Press and Registration of Books Act, 1867, shows the year of publication as February, 2021.

15. Dr.Jyothishkumar has also referred to the publications to show that Dr.Joseph Skaria is the editor of the journal, and, going



by Ext.P7, Dr.Joseph Skaria is only to be disqualified since he is engaged in publishing predatory journals. However, the question to be considered is with regard to the candidature of Dr.Joseph Skariah. Therefore, it is with reference to the Regulations, 2018, that the candidature requires to be analysed and not with reference to Ext.P7 notice. Dr.Jyothishkumar further contends that, admittedly, Dr.Joseph Skariah had not uploaded the required publications along with the online application, and as held by the Division Bench of this Court in O.P.(KAT) No.132 of 2019, his candidature does not need to be entertained. However, the Division Bench of this Court affirmed the decision of the Tribunal while considering a situation where, due to an inadvertent mistake in the application filed, the community was wrongly mentioned. The Public Service Commission took the stand that the application could not be corrected after the "last date". The Division Bench noticed that apart from the assertion, "there is nothing to prove that she had gone to the PSC office for seeking correction". It is specifically found that, "in the present case, the selection was completed and the persons in the SIUC Nadar were also advised". It is on that basis that this Court found in paragraph 6 of the judgment as under:



"6. We cannot but notice that the PSC had clearly stipulated that the applications should be complete in all respects and that the details furnished and declarations made are the sole responsibility of the candidate and ought to be verified scrupulously before submission of the same. Any mistake occasioned is the result of sheer negligence of the candidate and no discretionary exercise can be made in favour of such careless candidates."

However, in the case at hand, Dr. Joseph Skariah had even before the last date prescribed for the submission of the online application (05.02.2020) filed W.P(C) No.1409 of 2022, pointing out the technical glitches. Therefore, I am of the opinion that the principles down in O.P.(KAT) No.132 of 2019 may not apply to the facts and circumstances of the case at hand. For that reason, I am of the opinion that Dr.Jyothishkumar, who filed W.P(C) No.9236 of 2024, is also not entitled to succeed.

16. What remains for consideration is the two writ petitions filed by Dr.Joseph Skariah. W.P(C) No.1409 of 2022 is filed on 13.01.2022 seeking the reliefs noticed earlier. Along with that writ petition, the petitioner has produced the communication at Ext.P3 dated 31.01.2020 addressed to the Registrar of the respondent University informing about his inability to upload certain credentials during the online application, owing to technical reasons.



17. The counter affidavit filed by the respondent University dated 04.03.2022 also does not deny to have received Ext P3. The counter affidavit speaks only about the technical glitches highlighted in the writ petition as well as in Ext.P3. The fact that the petitioner had filed the said writ petition on 13.01.2022, therefore, requires to be taken note of, and his contention about technical glitches also requires to be appreciated. Sri.Anoop Krishna, the learned counsel for Dr.Jyothishkumar stated that the nature of the technical issue faced by Dr.Joseph Skariah is not stated anywhere. I am of the opinion that since in the counter affidavit filed by the University, the fact of furnishing Ext.P3 is not disputed, the contention raised by Dr.Joseph Skariah is to be appreciated. This Court, considering the contention raised, also permitted the petitioner to take part in the interview and in the ranklist, Dr.Joseph Skariah is placed at serial No.1. Therefore, I am of the opinion that Dr.Joseph Skariah also ought to have been considered for the interview.

In view of the afore finding, and in view of the rejection of the other two writ petitions, I am of the opinion that W.P(C) No.28332 of 2022 also requires to be ordered directing the



University to take appropriate steps on the basis of the rank list referred to above immediately. Therefore, these writ petitions would stand ordered as under:

- i. W.P(C) Nos.12531 of 2024 and 9236 of 2024 are dismissed.
- ii. W.P(C) No.1409 of 2022 is allowed, holding that the petitioner therein was entitled to be called for the interview for appointment to the post of Professor in the Malayalam Department pursuant to Ext.P1 notification therein.
- iii. W.P(C) No.28332 of 2022 is allowed, directing the respondent University to act on the basis of the rank list and to effect appointment as expeditiously as possible.

Sd/-

**HARISANKAR V. MENON,
JUDGE**

In

APPENDIX OF WP(C) NO. 1409 OF 2022

PETITIONER'S EXHIBITS:

- EXHIBIT P1 TRUE COPY OF NOTIFICATION GAII-C1/104750/2019/ADMN DATED 31.12.2019.
- EXHIBIT P2 TRUE COPY OF APPLICATION NO.4470 NIL DATED UPLOADED BY THE PETITIONER TO THE WEBSITE OF UNIVERSITY OF CALICUT.
- EXHIBIT P3 TRUE COPY OF COVERING LETTER SENT BY PETITIONER TO REGISTRAR, UNIVERSITY OF CALICUT DATED 31.1.2020.
- EXHIBIT P4 TRUE COPY OF MEMO ISSUED BY CALICUT UNIVERSITY TO PETITIONER DATED 5.1.2022.
- EXHIBIT P5 TRUE COPY OF RESEARCH SCORE OF PETITIONER AS PER UGC GUIDELINES CALCULATED BY THE PORTAL OF KANNUR UNIVERSITY DATED 27.10.2021.
- EXHIBIT P6 TRUE COPY OF RESUME OF PETITIONER.
- EXHIBIT P7 TRUE COPY OF EMAIL REQUEST MADE BY PETITIONER TO 1ST RESPONDENT DATED 1.1.2022.
- EXHIBIT P8 A TRUE COPY OF PUBLISHER DETAILS OF "SASJTAVINTE PARAMPARYAIL ORAL' NIL DATED.
- EXHIBIT P9 A TRUE COPY OF ONLINE APPLICATION FOR ASSOCIATE PROFESSOR OF THE UNIVERSITY.
- EXHIBIT P10 A TRUE COPY OF G-MAIL RECEIPT GIVEN BY UNIVERSITY TO THE PETITIONER DATED 30/01/2020.

RESPONDENTS' EXHIBITS:

- EXHIBIT R3G TRUE COPY OF THE INTERVIEW CARD TO THE POST OF ASSOCIATE PROFESSOR RECEIVED BY THIS RESPONDENT DATED 5.1.2022.
- EXHIBIT R3H TRUE COPY OF THE FRONT COVER AND BACK COVER INSIDE OF THE BOOK ''SB ACADEMIC REVIEW''.
- EXHIBIT R1I TRUE COPY OF THE PAGE NO 18 OF THE BOOK ''SB ACADEMIC REVIEW '' PUBLISHED BY THE PETITIONER IN 2021.



- EXHIBIT R3J TRUE COPY OF THE FRONT PAGE OF THE BOOK ''TAPASAM'' AND ITS PAGE NO-125 &126.
- EXHIBIT R4A TRUE COPY OF THE APPLICATION FOR THE POST OF PROFESSOR AT THE DEPARTMENT OF MALAYALAM SUBMITTED BY ME ONLINE PURSUANT TO THE NOTIFICATION OF UNIVERSITY OF CALICUT.
- EXHIBIT R4B TRUE COPY OF THE MEMO DATED 05/01/2022 INVITING ME FOR THE INTERVIEW FOR THE POST OF PROFESSOR IN THE DEPARTMENT OF MALAYALAM, UNIVERSITY OF CALICUT.
- EXHIBIT R5 (A) TRUE COPY OF THE APPLICATION FOR THE POST OF PROFESSOR AT THE DEPARTMENT OF MALAYALAM SUBMITTED BY ME ONLINE PURSUANT TO THE NOTIFICATION OF UNIVERSITY OF CALICUT.
- EXHIBIT R5 (B) TRUE COPY OF THE MEMO DATED 05.01.2022 INVITING ME FOR THE INTERVIEW FOR THE POST OF PROFESSOR IN THE DEPARTMENT OF MALAYALAM, UNIVERSITY OF CALICUT.
- EXHIBIT R1 (A) TRUE COPY OF THE RANKED LIST TO THE POST OF PROFESSOR IN THE DEPARTMENT OF MALAYALAM AND KERALA STUDIES AS PER NOTIFICATION DATED 31.12.2019.



APPENDIX OF WP(C) NO. 28332 OF 2022

PETITIONER'S EXHIBITS:

- EXHIBIT P1 TRUE COPY OF THE NOTIFICATION DATED 31.12.2019 INVITING APPLICATION FOR THE POST OF PROFESSOR.
- EXHIBIT P2 TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER.
- EXHIBIT P3 TRUE COPY OF THE LETTER SENT ON 31.01.2020 BY THE PETITIONER.
- EXHIBIT P4 TRUE COPY OF THE LIST OF RESEARCH PAPERS PUBLISHED AS ON DATE OF INTERVIEW.
- EXHIBIT P5 TRUE COPY OF THE INTERIM ORDER IN W.P(C)NO.1409 OF 2022 PASSED BY THIS HON'BLE COURT.
- EXHIBIT P6 TRUE COPY OF THE INTERIM ORDER DATED 22.05.2025 IN W.P.(C) NO. 28332/2022 PASSED BY THIS HONOURABLE COURT.
- EXHIBIT P7 TRUE COPY OF THE ITEM NO. 2024.188 IN THE MINUTES OF THE MEETING OF THE SYNDICATE HELD ON 17.02.2024.
- EXHIBIT P8 TRUE COPY OF THE UNIVERSITY ORDER BEARING U.O.NO. 3236/2024/ADMN DATED 24.02.2024.
- EXHIBIT P9 TRUE COPY OF THE APPLICATION DATED 20.03.2026 SUBMITTED TO THE SYNDICATE OF THE UNIVERSITY.
- EXHIBIT P10 TRUE COPY OF RELEVANT PAGES OF RTI REPLY GIVEN TO EXHIBIT P9.

APPENDIX OF WP(C) NO. 9236 OF 2024

PETITIONER'S EXHIBITS:

- EXHIBIT P 1 A TRUE COPY OF THE APPLICATION OF THE PETITIONER
SUBMITTED THROUGH ONLINE ON 04-02-2020.
- EXHIBIT P2 A TRUE COPY OF THE APPLICATION DATED 30-01-2020
SUBMITTED BY THE 4TH RESPONDENT.
- EXHIBIT P3 THE NOTIFICATION DATED 31-12-2019 OF THE 1ST
RESPONDENT.
- EXHIBIT P4 A TRUE COPY OF THE JUDGMENT DATED 01-11- 2019 IN
OP(KAT) NO.132 OF 2019.
- EXHIBIT P5 A TRUE COPY OF THE NEWSPAPER REPORT APPEARED IN
KERALA KAUMUDI DAILY DATED 03 -02- 2024.
- EXHIBIT P6 A TRUE COPY OF THE RANK LIST DATED 31.02.2019.
- EXHIBIT P7 A TRUE COPY OF THE ORDER NO. F.1-
1/2018(JOURNALS/CARE) DATED 14.06.2019 OF THE
UNIVERSITY GRANTS COMMISSION.
- EXHIBIT P8 A TRUE COPY OF THE COVER PAGE AND PAGE 125 OF THE
‘TAPASAM (2011).
- EXHIBIT P9 COVER PAGE AND THE NEXT THREE PAGES OF SB ACADEMIC

APPENDIX OF WP(C) NO.12531 OF 2024

PETITIONER'S EXHIBITS:

- EXHIBIT-P1 TRUE COPY OF THE NOTIFICATION DATED 31.12.2019 BY THE 1ST RESPONDENT UNIVERSITY.
- EXHIBIT-P2 TRUE COPY OF THE ONLINE APPLICATION OF THE PETITIONER DATED 01.02.2020.
- EXHIBIT-P3 TRUE COPY OF THE INTERVIEW MEMO ISSUED TO THE PETITIONER TO THE POST OF PROFESSOR DATED 05.01.2022.
- EXHIBIT-P4 TRUE COPY OF THE APPLICATION OF THE 3RD RESPONDENT.
- EXHIBIT-P5 TRUE COPY OF THE INTERIM ORDER DATED 18.01.2022 IN IN WPC NO. 1409/2022.
- EXHIBIT-P6 TRUE COPY OF THE REPRESENTATION DATED 25.01.2022 SUBMITTED BY THE PETITIONER BEFORE THE CHANCELLOR OF THE UNIVERSITY OF CALICUT.
- EXHIBIT-P7 TRUE COPY OF THE REPORT APPEARED IN MATHRUBHOOMI DAILY ON 22.01.2022.
- EXHIBIT-P7(A) TRUE COPY OF THE REPORT APPEARED IN MALAYALAM MANORAMA DAILY ON 22.01.2022.
- EXHIBIT-P7(B) TRUE COPY OF THE REPORT APPEARED IN THE ONLINE ASIANET NEWS ON 21.01.2022.
- EXHIBIT-P8 TRUE COPY OF THE RANK LIST.
- EXHIBIT-P9 TRUE COPY OF THE RTI APPLICATION FILED BY THE PETITIONER DATED 08.03.2024.
- EXHIBIT-P10 TRUE COPY OF A COMPARATIVE TABLE BASED ON THE INFORMATION OBTAINED FROM VARIOUS CORNERS REGARDING THE QUALIFICATIONS OF THE RESPONDENTS VIZ A VIZ PETITIONER PREPARED BY THE PETITIONER.
- EXHIBIT-P11 TRUE COPY OF THE JUDGMENT DATED 01-11-2019 IN OP(KAT) NO.132 OF 2019.
- EXHIBIT-P12 TRUE COPY OF THE MEMO DATED 05.01.2022 CALLING PETITIONER FOR INTERVIEW.



- EXHIBIT-P13 TRUE COPY OF THE INFORMATION DATED 08.05.2024 OBTAINED BY THE PETITIONER UNDER RTI ACT.
- EXHIBIT-P14 TRUE COPY OF THE MINUTES OF THE SELECTION COMMITTEE MEETING HELD ON 20.01.2022 FURNISHED UNDER RTI ACT, AFTER SEVERING THE PART CONTAINING INFORMATION EXEMPTED FROM DISCLOSURE.
- EXHIBIT-P14 (A) TRUE COPY OF THE RECOMMENDATION DATED 20.01.2022 APPENDED TO EXT.P14 MINUTES OF THE SELECTION COMMITTEE.
- EXHIBIT-P15 TRUE COPY OF THE U.O. NO:3344/2021/ADM DATED 16/03/2021 PRESCRIBING SELECTION NORMS ALONG WITH THE RELEVANT PAGES OF THE SELECTION NORMS OF THE POST OF PROFESSOR (PAGES 1 TO 5 AND 10 TO 14).
- EXHIBIT-P16 TRUE COPY OF THE APPENDIX II, TABLE 2 OF THE UGC REGULATIONS.
- EXHIBIT-P17 TRUE EXTRACT OF THE INTERIM RELIEF SOUGHT BY THE 3RD RESPONDENT IN WPC NO.1409/2022
- EXHIBIT-P18 TRUE COPY OF THE COUNTER AFFIDAVIT OF THE 1ST RESPONDENT UNIVERSITY IN WPC NO.1409/2022.
- EXHIBIT-P19 TRUE COPY OF THE LIST PREPARED BY THE BOARD OF STUDIES OF THE RESPONDENT UNIVERSITY FOR THE DEPARTMENT OF MALAYALAM AND KERALA STUDIES DATED 15.05.2019.
- EXHIBIT-P20 TRUE COPY OF THE LIST OF THOSE 10 JOURNALS DATED 07.07.2022 OBTAINED UNDER RTI ACT.
- EXHIBIT-P21 COPY OF PRINT OUT OF THE LIST OF APPROVED JOURNALS TAKEN FROM THE UNIVERSITY SITE.
- ANNEXURE-A1 TRUE COPY OF THE PRINTOUT OF THE WEBSITE OF THE POSTAL DEPARTMENT ON TRACK CONSIGNMENT STATUS.

RESPONDENTS' EXHIBITS:

- EXHIBIT R3 (A) A TRUE COPY OF PUBLISHER DETAILS OF 'SRUSHTAVINTE PARAMPARAYIL ORAL' NIL DATED.
- EXHIBIT R3 (B) A TRUE COPY OF THE COVERING LETTER DATED 31.01.2020 SENT BY THE PETITIONER TO REGISTRAR, CALICUT UNIVERSITY.