

The Manager vs Fee Regulatory Committee for Medical Education in Kerala

The Manager vs Fee Regulatory Committee for Medical Education in Kerala

SooperKanoon Citation : sooperkanoon.com/1390906

Court : Kerala

Decided On : Dec-15-2023

Judge : Honourable Mrs. Justice Anu Sivaraman, Honourable Mr. Justice C. Pratheep Kumar

Appeal No. : WP(C)/26981/2021

Appellant : The Manager

Respondent : Fee Regulatory Committee for Medical Education in Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN & THE HONOURABLE MR. JUSTICE C. PRATHEEP KUMAR FRIDAY, THE 15TH DAY OF DECEMBER 2023 / 24TH AGRAHAYANA, 1945 WP(C) NO. 26981 OF 2021 PETITIONER: THE MANAGER BELIEVERS CHURCH MEDICAL COLLEGE HOSPITAL, ST. THOMAS NAGAR, KUTTAPPUZHA.P.O, THIRUVALLA-689103. BY ADVS. KURIAN GEORGE KANNANTHANAM (SR.) TONY GEORGE KANNANTHANAM THOMAS GEORGE ALEX GEORGE (CHAMAPPARAYIL) EBEE ANTONY RESPONDENTS:

1 FEE REGULATORY COMMITTEE FOR MEDICAL EDUCATION IN KERALA REPRESENTED BY ITS MEMBER SECRETARY, M.P.APPAN ROAD, VAZHUTHAKKAD, TRIVANDRUM-695014. 2 KERALA UNIVERSITY OF HEALTH SCIENCES REPRESENTED BY ITS REGISTRAR, MEDICAL COLLEGE.P.O, TRICHUR-680596. 3 ADDL.R3. AADITHYA DEV.S.P AGED 18 YEARS, S/O.MR.SUNIL PRAKASH L.S., FLAT L-5 LIC FLAT, KARAPARAMBA, KOZHIKODE - 673 010. 4 ADDL.R4. ABIN P.S., AGED 20 YEARS, S/O.MR.SAJIMON P.J., PUTHENPARAMBIL HOUSE, VAYAKKARA, PADIYOTUCHAL, KANNUR. 5 ADDL.R5. AGNA MARIA AGED 20 YEARS, D/O.DEVASSY P.T., PORATHUR (H), PERINCHERRY P.O., THRISSUR.

6 ADDL.R6. AISWARYA LAXMI S. AGED 22 YEARS, D/O.MR.SURESH BABU A.D., EDATTUTHAZHE (H), VILLOONNI P.O., ARPOOKARA, KOTTAYAM - 8. 7 ADDL.R7. ALEENA ABRAHAM AGED 20 YEARS, D/O.MR.TOMY ABRAHAM, VELAKLAM (H), PULINCUNOO P.O., ALAPUZHA. 8 ADDL.R8. ALEX BOBY AGED 18 YEARS, S/O.MR.BOBY CYRIAC, KARICKAL HOUSE, PERUMPANANCHY P.O., CHANGANASSERY. 9 ADDL.R9. ANAGHA ANIL AGED 20 YEARS, D/O.MR.ANIL KUMAR, ELAYIDATHUKKUNNEL HOUSE, KADANAD P.O., KOTTAYAM. 10 ADDL.R10. ANAGHA V. AGED 21 YEARS, D/O.SMT.VASANTHA V., GOKULAM, POOVATHUR, KANNUR. 11 ADDL.R11. ANAINA RUTH RAJAN AGED 21 YEARS, D/O.SMT.SHINI VARGHESE, ANTWIN VILLA, PALLIKULAM, CHIRAKKAL P.O., KANNUR. 12 ADDL.R12. ANAINA SARA JOSEPH AGED 19 YEARS, D/O.MR.A.I.JOSEPH, ARIMBOOR HOUSE, WADAKKANCHERRY R.S. P.O., THRISSUR. 13 ADDL.R13. ANDREA SHAJU RAPHAEL AGED 19 YEARS, D/O.MR.SHAJU RAPHAEL, 43, SURABHI GARDENS, CHIYYARAM P.O., THRISSUR. 14 ADDL.R14. ANET MARIA JAISON M. AGED 20 YEARS, D/O.MR.JAISON M.O., MEPPULLPARAMBIL HOUSE, NELLAYI P.O., KOLATHUR, THRISSUR. 15 ADDL.R15. ANGELA ANTU JOSEPH AGED 20 YEARS, D/O.MR.ANTU JOSEPH, 4C, B BLOCK, OLIVE WOODSTOCK, KALOOR, KOCHI-17. 16

ADDL.R16. ANILA SARA JOSE AGED 21 YEARS, D/O.MR.JOSE V.J., VETTICKOTTU HOUSE, BHARANIKAVU SOUTH P.O., KATTANAM, MAVELIKARA.

17 ADDL.R17. ANJALI MARIA ANTONY

AGED 21 YEARS, D/O.MR.ANTONY P.P., PULIYARMATTATHIL HOUSE, VAZHAVATTA P.O., WAYANAD. 18 ADDL.R18. ANN MARY PHILIP AGED 21 YEARS, D/O.MR.PHILIP A.S, ARACKAL HOUSE, RAILWAY STATION WARD, BAZAR P.O., ALAPUZZHA. 19 ADDL.R19. ANN MARY SUNIL AGED 20 YEARS, D/O.MR.SUNIL KURIAKOSE, NJATTUMKALAYIL HOUSE, PATTIMATTOM P.O., ERNAKULAM. 20 ADDL.R20. ANUJA MARIAM PRAVEEN AGED 19 YEARS, D/O.MR.PRAVEEN MANI, KOLLAMPARAMPIL HOUSE, POOTHAKUZHY P.O., PAMPADY, KOTTAYAM. 21 ADDL.R21. ANVY VINOD MATHEWS AGED 19 YEARS, D/O.MR.VINOD MATHEWS, MUNDANILKUNNATHIL HOUSE, MUNDAMALA P.O., PULLAD, THIRUVALLA. 22 ADDL.R22. ASHIQUE MATHEW AGED 20 YEARS, S/O.MR.DAVIS P.A., PULLOKKARAN HOUSE, POOTHOROKKAL, CHORPU, THRISSUR. 23 ADDL.R23. ASWATHY NAIR AGED 20 YEARS, D/O.MR.ANIL B.NAIR, KALLIYATUMATTATHIL, POOTHAKUZHY, P.O PAMPADY, KOTTAYAM. 24 ADDL.R24. ASWATHY P.RAMESH KUMAR AGED 21 YEARS, D/O.MR.RAMESH KUMAR, POOKATIL HOUSE, P.O KOTTAPADY, GURUVAYOOR, THRISSUR. 25 ADDL.R25. BIBIN THAKIDIPURATHU BABY AGED 20 YEARS, S/O.MR.BABY VARGHESE, THAIDIPURATHU, KARIMPANA P.O., NORTH PALAKUZHA, KOOOTHATUKLA. 26 ADDL.R26. CHELSA K.S. AGED 21 YEARS, D/O.MR.SABU K.J., KUNNEL HOUSE, POLLETHI P.O., ALAPUZHA.

27 ADDL.R27. CHRISTEENA SARA OOMMEN

AGED 19 YEARS, D/O.MR.OOMMEN PHILIP, PARAYIL PHILIPS BUNGLOW, THEKKEMALA, KOZHENCHERRY, PATHANAMTHITTA.

28 ADDL.R28. CHRISTY KURIAN AGED 21 YEARS, S/O.MR.KURIAN JOSE, PUTHENPURAYIL HOUSE, KARUVANCHAL, KANNUR. 29 ADDL.R29. DERLIN MARIA AGED 21 YEARS, D/O.MR.E.V.DAISON, EDAKALATHUR HOUSE, P.O PURANNATTUKARA, THRISSUR. 30 ADDL.R30. ELIZABETH THOMAS KUTTOTHARA AGED 19 YEARS, D/O.MR.THOMAS KURUVILLA, KUTTOTHARA HOUSE, PUNALUR. 31 ADDL.R31.EVIN JACOB JOHN AGED 20 YEARS, S/O.MR.T.S.JACOB JOHN, MULAVILA HOUSE, NEDUMPARA P.O., KOLLAM. 32 ADDL.R32. FATHIMA H. AGED 21 YEARS, D/O.MR.HABEEB M., VELAPALLY PADEETAHIL, CHEPPAD P.O., ALAPUZHA. 33 ADDL.R33. FRANCIS T NOONY AGED 19 YEARS, S/O.SMT.SHATTY FRANCIS, THOPPILA HOUSE, PWRA1, PUTHURKARA ROAD, AIYANTHOL P.O., EKM. 34 ADDL.R34. GOKUL A. AGED 19 YEARS, S/O.MR.ANIL KUMAR R., D12/142, NGO QUARTERS, THRIKKAKARA WEST P.O., KOCHI. 35 ADDL.R35. GOWRI S.GOPINATH AGED 20 YEARS, D/O.MR.SREEKUMAR G., SANTHINEKATA, PANDALAM, THONNALOOR. 36 AGED 36. HARISHMA MARIYAM REJI AGED 20 YEARS, S/O.MR.REJI PULINIKUNNATHIL ALEX, PULINILKUNNATHIL HOUSE, THUMPAMON, PANDALAM. 37 ADDL.R37. HORMISE THALIATH AGED 20 YEARS, S/O.MR.SREEKUMAR G., SANTHINEKATAN, PANDALAM THONNALOOR. 38 ADDL.R38. HRITHIK HARIKUMAR AGED 20 YEARS, S/O.MR.HARI P.J., HARINADHANAM, KARAKKADU.

39 ADDL.R39. HRUDYA SEKHAR

AGED 19 YEARS, D/O.MR.T.K.CHANDRASEKHARAN, THONIPLAVIL HOUSE, PALLIKACHARA KAVALA, PAYIPPAD. 40 ADDL.R40. IRENE SAJI AGED 20 YEARS, D/O.DR.SAJI SEBASTIAN K., KONDUKULANGARA HOUSE, KANNAMKULANGARA, THRISSUR. 41 ADDL.R41. JEENA REETHA AGED 19 YEARS, D/O.MR.T.J.SIMON, PEACE COTTAGE, VAIKAM P.O., KOTTAYAM. 42 ADDL.R42. JERIN VARGHESE AGED 21 YEARS, S/O.MR.VARGHESE ABRAHAM,

VETTKADU, CHENNAMKARY P.O., ALAPUZHA. 43 ADDL.R43. JOE MARIA JOY AGED 20 YEARS, D/O.MR.P.D.JOY, PAYAPPILLY HOUSE, NAYATHODE P.O., ANKAMALY. 44 ADDL.R44. JOSEPH PAUL E. AGED 19 YEARS, S/O.MR.PAUL PAULOSE, AYATHUKUDIYIL HOUSE, PERUMBAVOOR. 45 ADDL.R45. JOSEPH S.MATHEW AGED 20 YEARS, S/O.MR.SHAJU MATHEW, PUTHIRIKKAL HOUSE, KUZHUR P.O., THRISSUR. 46 ADDL.R46. KRISHNATHEERTH ANIL AGED 21 YEARS, S/O.DR. ANIL KUMAR P.K., SREYAS, ARRA-64, VALLIKUNNU. 47 ADDL.R47. LIZA JOSEPH AGED 20 YEARS, D/O.DR. SAJAN JOSEPH, CHAZHIKAT HOUSE, THODUPUZHA. 48 ADDL.R48. MANAVIAL SURESH AGED 20 YEARS, D/O. MR.B.SURESH KUMAR, CHAITHANYA, THIRUVAMPADY JN P.O., ALAPUZHA. 49 ADDL.R49. MERIL THOMAS AGED 20 YEARS, D/O.MR.THOMAS K.O., KALAPARAMBATH HOUSE, ANNAMANDA, THRISSUR.

50 ADDL.R50. MERIN JOSE

AGED 20 YEARS, D/O.MR.JOSE K.C., PAMPURATH, PANDALAM P.O. 51 ADDL.R51. MIDHUN PRADEEP AGED 20 YEARS, S/O.MR.B.PRADEEP, SINI BHAVANAM, ALUMPEEDIKA P.O., OACHIRA. 52 ADDL.R52. NEHA S. AGED 20 YEARS, D/O.SMT. SUMA SAJEEV, SHARON HOUSE, JNRA - 200B, PATTATHANAM, KOLLAM. 53 ADDL.R53. NEVIN BIJU AGED 20 YEARS, S/O.MR.BIJU K PAUL, KUROOR HOUSE, KUZHIYARA P.O., CHOTTANIKARA. 54 ADDL.R54. POOJA KRISHNA AGED 21 YEARS, D/O.MR.SANTOSH A., HOUSE NO.150, ALANGADEN HOUSE, NILAMBUR P.O., MALAPURAM. 55 ADDL.R55. SANDRA SHANTO AGED 20 YEARS, D/O.MR.SHANTO JOSEPH, PADAYATTI HOUSE, CHALAKUDY P.O., CHAVARA NAGAR, THRISSUR. 56 ADDL.R56. SHAHNA SHERIN AGED 21 YEARS, D/O.MR.IRSHAD C.A., FLAT NO.1C, SRREROSH APARTMENTS, THALIKKAVU, KANNUR. 57 ADDL.R57. STANES JACOB AGED 20 YEARS, S/O.MR.JACOB JOHN, PANACHAMMOOTIL, EDAKKARA

P.O., MALAPPURAM. 58 ADDL.R58. SUSAN JOHNY AGED 20 YEARS, D/O.MR.JOHNY J., JACOBS HOUSE, VALLAKADAVU P.O., TVM. 59 ADDL.R59. TANYA SONI AGED 21 YEARS, D/O.MR.RAJEEV KUMAR,4/93, KCC NAGAR, AJMER ROAD, JAIPUR, RAJASTHAN.

60 ADDL.R60. VISHNUMAYA KRISHNAKUMAR AGED 21 YEARS, D/O.MR.R.KRISHNA KUMAR, SINDHOORAM, HOUSE NO.49, AMBIKA NAGAR, AKATHETHARA, PALAKKAD. [ADDL.R3 TO R60 ARE IMPEADED AS PER ORDER DATED 21.12.2021 IN I.A.1/2021 IN WP(C)26981/2021.] BY ADVS. SMT.MARY BENJAMIN, SC, ADMISSION SUPERVISORY COMMITTEE FOR PROF. COLLEGES SHRI.P.SREEKUMAR, SC, KERALA UNIVERSITY OF HEALTH SCIENCES SRI. RAJIT THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15.12.2023, ALONG WITH WP(C).2584/2023, FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN & THE HONOURABLE MR. JUSTICE C.PRATHEEP KUMAR FRIDAY, THE 15TH DAY OF DECEMBER 2023 / 24TH AGRAHAYANA, 1945 WP(C) NO. 2584 OF 2023 PETITIONER/S:

1 AADITHYA DEV S P AGED 19 YEARS, S/O SUNIL PRAKASH L S, FLAT L-5 .LIC FLATS, KARAPARAMBA, KOZHIKODE, PIN - 673010 2 ABIN P S AGED 21 YEARS, S/O SAJIMON P J, PUTHENPARAMBIL HOUSE, VAYAKKARA, PADIYOTUCHAL, KANNUR, PIN - 670511 3 AGNA MARIA AGED 21 YEARS, D/O DEVASSY P T, PORATHUR (H),PERINCHERRY P.O, TRISSUR, PIN - 680306 4 AISWARYA LAXMI S AGED 23 YEARS, D/O SURESH BABU A D, EDATTUTHAZHE (H), VILLOONNI PO, ARPOOKARA, KOTTAYAM, PIN - 686008 5 ALEENA ABRAHAM AGED 21 YEARS, D/O TOMY ABRAHAM, VELAKLAM (H), PULINCUNNOO P.O, ALAPUZHA, PIN - 688504 6 ALEX BOBY AGED 19 YEARS S/O BOBY CYRIAC, KARICKAL HOUSE,

PERUMPANANCHY PO, CHANGANASSERY, KOTTAYAM, PIN - 686536 7 ANAGHA ANIL AGED 21 YEARS, D/O ANILKUMAR, ELAYIDATHUKKUNNEL (H), KADANAD P.O., KOTTAYAM, PIN - 686653

8 ANAGHA V AGED 22 YEARS, D/O VASANTHA V, GOKULAM, POOVATHUR, KANNUR, PIN - 670592 9 ANAINA RUTH RAJAN AGED 22 YEARS, D/O SHINI VARGHESE, ANTWIN VILLA, PALLIKULAM, HIRAKKAL PO, KANNUR, PIN - 670011 10 ANAINA SARA JOSEPH AGED 20 YEARS, D/O A.I. JOSEPH, ARIMBOOR HOUSE, WADAKKANCHERRY R.S. PO, THRISSUR, PIN - 680623 11 ANDREA SHAJU RAPHAEL AGED 20 YEARS D/O SHAJU RAPHAEL, 43, SURABHI GARDENS, CHIYYARAM P.O, TRISSUR, PIN - 680026 12 ANET MARIA JAISON M AGED 21 YEARS, D/O JAISON M.O, MEPPULLYPARAMBIL HOUSE, NELLAYI PO, KOLATHUR, TRISSUR, PIN - 680741 13 ANGELA ANTU JOSEPH AGED 21 YEARS, D/O ANTU JOSEPH, 4C, B BLOCK, OLIVE WOODSTOCK, KALOOR, KOCHI, PIN - 682017 14 ANILA SARA JOSE AGED 22 YEARS, D/O JOSE V J, VETTICKOTTU HOUSE, BHARANIKAVU SOUTH P.O., KATTANAM, MAVELIKARA, ALAPPUZHA, PIN - 690503 15 ANJALI MARIA ANTONY AGED 22 YEARS D/O ANTONY P P, PULIYARMATTATHIL (H), VAZHAVATTA PO, WAYANAD, PIN - 673122 16 ANN MARY PHILIP AGED 22 YEARS, D/O PHILIP A.S, ARACKAL HOUSE, RAILWAY STATION WARD, BAZAR PO, ALAPUZZHA, PIN - 688012

17 ANN MARY SUNIL AGED 21 YEARS, D/O SUNIL KURIAKOSE, NJATTUMKALAYIL (H), PATTIMATTOM PO, ERNAKULAM, PIN - 683562 18 ANUJA MARIAM PRAVEEN AGED 20 YEARS D/O PRAVEEN MANI, KOLLAMPARAMPIL HOUSE, POOTHAKUZHY PO, PAMPADY, KOTTAYAM, PIN - 686502 19 ANVY VINOD MATHEWS AGED 20 YEARS, D/O VINOD MATHEWS, MUNDANILKUNNATHIL (H), MUNDAMALA PO, PULLAD, THIRUVALLA, PATHANAMTHITTA, PIN - 689548 20 ASHIQUE MATHEW AGED 21 YEARS, DAVIS P.A,

PULLOKKARAN (H), POOTHOROKKAL, CHORPU, TRISSUR, PIN - 680561 21 ASWATHY NAIR AGED 21 YEARS, D/O ANIL B NAIR, KALLIYATUMATTATHIL, POOTHAKUZHY, PO PAMPADY, KOTTAYAM, PIN - 686502 22 ASWATHY P RAMESH KUMAR AGED 22 YEARS, D/O RAMESH KUMAR, POOKATIL HOUSE, PO KOTTAPADY, GURAVAYUR, TRISSUR, PIN - 680505 23 BIBIN THAKIDIPURATHU BABY AGED 21 YEARS, S/O BABY VARGHESE, THAKIDIPURATHU, KARIMPANA PO, NORTH PALAKUZHA, KOOOTHATUKLAM, ERNAKULAM, PIN - 686662 24 CHELSA K.S AGED 22 YEARS D/O SABU K J, KUNNEL HOUSE, POLLETHAI PO, ALAPUZHA, PIN - 688522

25 CHRISTEENA SARA OOMMEN D/O OOMMEN PHILIP, PARAYIL PHILIPS BUNGLOW, THEKKEMALA, KOZHENCHERY, PATHANAMTHITTA, PIN - 689641 26 CHRISTY KURIAN D/O KURIAN JOSE, PUTHENPURAYIL (H), KARUVANCHAL, KANNUR, PIN - 670571 27 DERLIN MARIA D/O E. V. DAISON, EDAKALATHUR HOUSE, PO PURANNATTUKARA, TRISSUR, PIN - 680551 28 ELIZABETH THOMAS KUTTOTHARA AGED 20 YEARS D/O THOMAS KURVILLA, KUTTOTHARA HOUSE, PUNALUR, KOLLAM, PIN - 691305 29 EVIN JACOB JOHN AGED 21 YEARS S/O T.S. JACOB JOHN, MULAVILA HOUSE, NEDUMPARA P O, KOLLAM, PIN - 691308 30 FATHIMA H AGED 22 YEARS D/O HABEEB M, VELAPPALLY PADEETATHIL, CHEPPAD PO, ALAPUZHA, PIN - 690507 31 FRANCIS T NOONY AGED 20 YEARS, S/O SHATTY FRANCIS, THOPPIL HOUSE, PWRA1, PUTHURKARA ROAD, AYYANTHOL PO, THRISSUR, PIN - 680003 32 GOKUL A AGED 20 YEARS, S/O ANIL KUMAR R, D12/142, NGO QUARTERS, THRIKKAKARA WEST PO, KOCHI, PIN - 682021 33 GOWRI S GOPINATH AGED 21 YEARS D/O SREEKUMAR G, SANTHINEKATAN, PANDALAM, THONNALLOOR, PATHANAMTHITTA, PIN - 689501

34 HARISHMA MARIYAM REJI AGED 21 YEARS D/O REJI
PULINILKUNNATHIL ALEX, PULINILKUNNATHIL HOUSE,
THUMPAMON, PANDALAM,PATHANAMTHITTA, PIN - 689502 35
HORMISE THALIATH AGED 21 YEARS D/O JOMON MATHEW,
THALIATH (H),MANNAMTHURATHU, VARAPUZHA PO,
ERNAKLULAM, PIN - 683517 36 HRITHIK HARIKUMAR AGED 21
YEARS,S/O HARI P J, HARINADHANAM, KARAKKADU, ALAPPUZHA,
PIN - 689504 37 HRUDYA SEKHAR AGED 20 YEARS, D/O
T.K.CHANDRASEKHARAN, THONIPLAVIL HOUSE, PALLIKACHARA
KAVALA, PAYIPPAD, CHANGANACHERRY, KOTTAYAM,PIN - 686537
38 IRENE SAJI AGED 21 YEARS, D/O SAJI SEBASTIAN K,
KONDUKULANGARA HOUSE, KANNAMKULANGARA, THRISSUR,
PIN - 680001 39 JEENA REETHA AGED 20 YEARS,D/O T.J. SIMON,
PEACE COTTAGE, VAIKAM PO, KOTTAYAM, PIN - 686141 40 JERIN
VARGHESE AGED 22 YEARS,S/O VARGHESE ABRAHAM,
VETTKADU, CHENNAMKARY PO, ALAPUZHA, PIN - 688501 41 JOE
MARIA JOY AGED 21 YEARS D/O P.D. JOY, PAYAPPILLY HOUSE,
NAYATHODE PO, ANGAMALY, ERNAKULAM, PIN - 683572 42
JOSEPH PAUL E AGED 20 YEARS, S/O PAUL PAULOSE,
AYATHUKUDIYIL (H), PERUMBAVOOR, ERNAKULAM, PIN - 683542

43 JOSEPH S MATHEW AGED 21 YEARS S/O SHAJU MATHEW,
PUTHIRIKKAL (H), KUZHUR PO, THRISSUR, PIN - 680734 44
KRISHNATHEERTH ANIL AGED 22 YEARS S/O ANIL KUMAR P K,
SREYAS, ARRA-64, VALLIKUNNU, MALAPPUARAM, PIN - 673314 45
LIZA JOSEPH AGED 21 YEARS,D/O SAJAN JOSEPH, CHAZHIKAT
HOUSE, THODUPUZHA, IDUKKI, PIN-685584 46 MANAVLAL SURESH
AGED 21 YEARS, S/O B. SURESH KUMAR, CHAITHANYA,
THIRUVAMPADY JN PO, ALAPUZHA, PIN - 688002 47 MERIL
THOMAS AGED 21 YEARS,D/O THOMAS. K.O, KALAPARAMBATH
HOUSE, ANNAMANDA, TRISSUR, PIN - 680741 48 MERIN JOSE
AGED 21 YEARS, D/O JOSE K C, PAMPURATH, PANDALAM PO,
PATHANAMTHITTA, PIN - 689501 49 MIDHUN PRADEEP AGED 21

YEARS S/O B. PRADEEP, SINI BHAVANAM, ALUMPEEDIKA PO, OACHIRA, KOLLAM, PIN - 690547 50 NEHA S AGED 21 YEARS D/O SUMA SAJEEV, SHARON HOUSE, JNRA-200B, PATTATHANAM, KOLLAM, PIN - 691021 51 NEVIN BIJU AGED 21 YEARS S/O BIJU K PAUL, KUROOR HOUSE, KUZHIYARA PO, CHOTTANIKARA, ERNAKULAM, PIN - 682312 52 POOJA KRISHNA AGED 22 YEARS D/O SANTHOSH A, HOUSE NO 150, ALANGADEN HOUSE, NILAMBUR PO, MALAPURAM, PIN - 679329

53 SANDRA SHANTO AGED 21 YEARS D/O SHANTO JOSEPH, PADAYATTI HOUSE, CHALAKUDY PO, CHAVARA NAGAR, THRISSUR, PIN - 680307 54 SHAHANA SHERIN AGED 22 YEARS D/O IRSHAD C.A, FLAT NO 1C, SRREROSH APRATMENTS, THALIKKAVU, KANNUR, PIN - 670001 55 STANES JACOB AGED 21 YEARS S/O JACOB JOHN, PANACHAMMOOTIL, EDAKKARA PO, MALAPPURAM, PIN - 679331 56 SUSAN JOHNY AGED 21 YEARS D/O JOHNY J, JACOBS HOUSE, VALLAKADAVU PO, THIRUVANANTHAPURAM, PIN - 695008 57 TANYA SONI AGED 22 YEARS D/O RAJEEV KUMAR, 4/93, KCC NAGAR, AJMER ROAD, JAIPUR, RAJASTHAN, PIN - 302001 58 VISHNUMAYA KRISHNAKUMAR AGED 22 YEARS D/O R KRISHNA KUMAR, SINDHOORAM , HOUSE NO 49, AMBIKA NAGAR, AKATHETHARA, PALAKKAD, PIN - 678008 59 NANDA PRASAD AGED 23 YEARS D/O A.P. PRASAD, AMMANATH (H), TEMPLE VIEW APARTMENT, B-203, SASTHA ROAD, THIRUVAMBADY, THRISSUR, PIN - 680022 60 ANNLIYA SAJI AGED 22 YEARS D/O SAJI JOSEPH, KUDIYIRIPPIL HOUSE, CHENGAL, KALADY PO, ERNAKULAM, PIN - 683574 61 CLARA JOHNSON AGED 22 YEARS D/O JOHNSON J MANKUDY, WHITE HOUSE, GANDHI NAGAR PO, KOTTAYAM, PIN - 686008

62 DRISYA P.D AGED 21 YEARS D/O DINESH KUMAR P R, MULAYANKUZHI HOUSE, VENGASSERY P.O., AMBALAPARA, PALAKKAD, PIN - 679516 63 NISHA V.G AGED 22 YEARS D/O

VIJAYADAS J, ANISHA BHAVAN, ARUVIYODE, KOTTACKAL P.O, TRISSUR, PIN - 695124 64 VARSHA MATHEW AGED 22 YEARS D/O MATHEW . V.K, VETTIKUZHIYIL HOUSE, NARIYAMPARA P.O., IDUKKI, PIN - 685511 BY ADV RAJIT RESPONDENT/S:

1 STATE OF KERALA REPRESENTED BY THE SECRETARY, MINISTRY OF HEALTH, THIRUVANANTHAPURAM, PIN - 695001 2 THE FEE REGULATORY COMMITTEE FOR MEDICAL EDUCATION IN KERALA, HEAD OFFICE, T C 15/1553-4, PRASANTHI BUILDINGS, M V APPAN ROAD, VAZHUTHAKKAD, THIRUVANATHAPURAM, PIN - 695001, REPRESENTED BY THE CHAIRMAN, 3 BELIEVERS CHURCH MEDICAL COLLEGE HOSPITAL POST BOX NO.31, ST.THOMAS NAGAR, KUTTAPUZHA P.O, THIRUVALLA, PIN - 689103 REPRESENTED BY THE MANAGER, 4 THE REGISTRAR BELIEVERS CHURCH MEDICAL COLLEGE HOSPITAL, POST BOX NO.31, ST.THOMAS NAGAR, KUTTAPUZHA P.O, THIRUVALLA, PIN - 689103

BY ADVS. SRI. P.G. PRAMOD, GOVERNMENT PLEADER SMT.MARY BENJEMIN, SC, R2 SRI.KURIAN GEORGE KANNANTHANAM (SR.) TONY GEORGE KANNANTHANAM THOMAS GEORGE(K/000407/1990) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15.12.2023, ALONG WITH WP(C).26981/2021 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN & THE HONOURABLE MR. JUSTICE C.PRATHEEP KUMAR FRIDAY, THE 15TH DAY OF DECEMBER 2023 / 24TH AGRAHAYANA, 1945 WP(C) NO. 4297 OF 2022 PETITIONER: THE MANAGER BELIEVERS CHURCH MEDICAL COLLEGE HOSPITAL, ST. THOMAS NAGAR, KUTTAPPUZHA P.O., THIRUVALLA-689103. BY ADVS. KURIAN GEORGE KANNANTHANAM (SR.) THOMAS GEORGE TONY GEORGE KANNANTHANAM RESPONDENTS: 1 FEE REGULATORY

COMMITTEE FOR MEDICAL EDUCATION IN KERALA, REPRESENTED BY ITS MEMBER SECRETARY, M.P.APPAN ROAD, VAZHUTHAKKAD, TRIVANDRUM-695014. 2 THE COMMISSIONER OF ENTRANCE EXAMINATIONS, 5TH FLOOR, K.S.H.B. BUILDING, THIRUVANANTHAPURAM-695001. BY ADVS. SMT.MARY BENJEMIN, SC, R1 SRI.P.G.PRAMOD, GOVERNMENT PLEADER(GP-50) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15.12.2023, ALONG WITH WP(C).26981/2021 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 15th day of December, 2023

Anu Sivaraman, J.

We have heard learned Senior Counsel appearing for the petitioner in W.P(C).No.4297 of 2022 and W.P(C). No.26981 of 2021. We have also heard the learned Government Pleader, the learned Standing Counsel appearing for the Fee Regulatory Committee as well as the learned counsel appearing for the petitioners in W.P(C).No.2584 of 2023.

2. We have gone through the orders impugned quite in detail and

have considered the arguments advanced on all sides. It is the specific contention of learned Senior Counsel appearing for the petitioner that the fixation of the fee for the year 2017-18 as Rs.4,40,100/-, was not on the basis of the accounts produced or the considerations as provided for in the Kerala Medical Education (Regulation and Control of Admission to Private Medical Educational Institutions) Act, 2017 (hereinafter referred to as 'the Act') or as directed by the Apex Court and this Court in the earlier rounds of litigation. It is contended that it is only on the basis of the actual fee collected for the year 2016-17 that the figure of Rs.4,40,100/- has been arrived at.

3. The learned Standing Counsel appearing for the Fee Regulatory

Committee submits that the fixation of the amount of Rs.4,85,000/- as fee for the year 2017-18 in the two earlier rounds of fee fixation has been found to be substantially in accordance with the provision of the Act and that it was only on the ground of lack of quorum that the matter had been remanded to the Fee Regulatory Committee in the earlier round.

4. Having considered the contentions advanced and having heard

the learned counsel on all sides, and in view of the submissions made before us, the parties are in agreement that the issue can be resolved, if the fee for the year 2017-18 is retained as Rs.4,85,000/- as has been done in the case of Pushpagiri Institute of Medical Sciences and Research Centre, Amala Institute of Medical Sciences, Thrissur and Jubilee Mission Medical College and many other Medical Colleges, which according to the parties are similarly situated institutions.

5. In the above view of the matter, on the basis of the consensus

reached between the parties, we record that the parties are in agreement that the amount of Rs.4,85,000/- can be legitimately fixed as the fee for the year 2017-18 and the fees for the year 2018-19 to 2023-24 can be proportionally fixed in the similar manner in which it has been done for all other colleges, where the fee was fixed for the year 2017-18 as Rs.4,85,000/-.

6. For the years 2022-23 and 2023-24, it is submitted by learned

Standing Counsel appearing for the Fee Regulatory Committee that a request will have to be made by the management for the fixation of the fee as has been done in all similar cases.

7. The learned Senior Counsel appearing for the management

submitted that such a request will be made and that if the fee is fixed as Rs.4,85,000/- for the year 2017-18 and in the corresponding manner as has been done in the case of other similar colleges, the fixation of the fee will not be disputed any further by the management. The said submissions are recorded. The

above three writ petitions are closed in the light of the consensus arrived at, as recorded above. Sd/- ANU SIVARAMAN, JUDGE Sd/- C. PRATHEEP KUMAR, JUDGE sou. APPENDIX OF WP(C) 26981/2021 PETITIONER EXHIBITS EXHIBIT P1 TRUE COPY OF THE NOTICE NO.AFRC 1ST RESPONDENT. EXHIBIT P2 TRUE COPY OF THE NOTICE NO.AFRC 1ST RESPONDENT. EXHIBIT P3 TRUE COPY OF THE ORDER NO.ARRC RESPONDENT. EXHIBIT P4 TRUE COPY OF THE NOTICE NO.FRC 5/17 & 18/SFMC DATED 2-7-2019 OF THE 1ST RESPONDENT. EXHIBIT P5 TRUE COPY OF THE ORDER FRC 50/18/MBBS/BCMC DATED 5-7-19 OF THE 1ST RESPONDENT. EXHIBIT P6 TRUE COPY OF THE NOTICE FRC RESPONDENT EXHIBIT P7 TRUE COPY OF THE NOTICE FRC RESPONDENT EXHIBIT P8 TRUE COPY OF THE NOTICE FRC RESPONDENT EXHIBIT P9 TRUE COPY OF THE NOTICE FRC RESPONDENT EXHIBIT P10 TRUE COPY OF THE NOTICE FRC RESPONDENT EXHIBIT P11 TRUE COPY OF THE NOTICE FRC RESPONDENT EXHIBIT P12 TRUE COPY OF THE NOTICE FRC RESPONDENT EXHIBIT P13 TRUE COPY OF THE REPLY NO.BCMCH/PRL/AFRC- PETITIONER TO THE 1ST RESPONDENT. EXHIBIT P14 TRUE COPY OF THE REPLY NO.BCMCH/PRL/AFRC- PETITIONER TO THE 1ST RESPONDENT. EXHIBIT P15 TRUE COPY OF THE REPLY NO.BCMCH/PRL/AFRC- PETITIONER TO THE 1ST RESPONDENT. EXHIBIT P16 TRUE COPY OF THE REPLY NO.BCMCH/PRL/AFRC- PETITIONER TO THE 1ST RESPONDENT. EXHIBIT P17 TRUE COPY OF THE NOTICE NO.FRC FROM THE 1ST RESPONDENT EXHIBIT P18 TRUE COPY OF THE NOTICE NO.FRC FROM THE 1ST RESPONDENT EXHIBIT P19 TRUE COPY OF THE NOTICE NO.FRC FROM THE 1ST RESPONDENT EXHIBIT P20 TRUE COPY OF THE NOTICE NO.FRC FROM THE 1ST RESPONDENT EXHIBIT P21 TRUE COPY OF THE EXPLANATION DATED 22-7- 2021 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT. EXHIBIT P22 TRUE COPY OF THE EXPLANATION DATED 26-7- 2021 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT. EXHIBIT P23 TRUE COPY OF THE EXPLANATION DATED 26-7- 2021 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT. EXHIBIT P24 TRUE COPY OF THE EXPLANATION DATED 26-7- 2021 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT. EXHIBIT P25

TRUE COPY OF THE ORDER NO.FRC 50/17- 20/MBBS/BCMCH DATED 22-11-2021 ISSUED BY THE 1ST RESPONENT. APPENDIX OF WP(C) 2584/2023 PETITIONER EXHIBITS EXHIBIT P1 A TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT DATED 22.11.2021 EXHIBIT P2 A TRUE COPY OF THE ORDER IN WPC 26981/2021 OF THIS HON;BLE COURT DATED 30.11.2021 EXHIBIT P3 A TRUE COPY OF THE ORDER IN WPC 26981/2021 OF THIS HON'BLE COURT DATED 30.11.2021 EXHIBIT P4 A TRUE COPY OF THE ORDER IN WPC 26981/2021 OF THIS HON;BLE COURT DATED 21.12.2021 EXHIBIT P5 A TRUE COPY OF THE ORDER IN SLP 2125- 25.02.2022 EXHIBIT P6 A TRUE COPY OF THE CIRCULAR ISSUED BY THE 4TH RESPONDENTS DATED 02.01.2023 EXHIBIT P7 A TRUE COPY OF THE JUDGMENT DATED 21.03.2022 IN W.P.C.NO.8934/2022 OF THIS HON'BLE COURT. APPENDIX OF WP(C) 4297/2022 PETITIONER EXHIBITS EXHIBIT P1 TRUE COPY OF THE ORDER FRC 50/20/MBBS/SFMC DATED 4.11.2020 OF THE 1ST RESPONDENT. EXHIBIT P2 TRUE COPY OF THE ORDER NO.FRC 50/17-20/MBBS/BCMCH DATED 22.11.2021 ISSUED BY THE 1ST RESPONDENT. EXHIBIT P3 TRUE COPY OF THE ORDER DATED 21.12.2021 IN WPC NO.26981/2021 OF THIS HON. COURT. EXHIBIT P4 TRUE COPY OF THE COVERING LETTER DATED 22.9.2021 TO THE 1ST RESPONDENT. EXHIBIT P5 TRUE COPY OF THE STATEMENT DATED 25.11.2021 TO THE 1ST RESPONDENT. EXHIBIT P6 TRUE COPY OF THE STATEMENT DATED 15.12.2021 TO THE 1ST RESPONDENT. EXHIBIT P6 TRUE COPY OF THE STATEMENT DATED 15.12.2021 TO THE 1ST RESPONDENT. EXHIBIT P7 TRUE COPY OF THE COVERING LETTER DATED 15.12.2021, FORWARDING THE PROPOSAL FOR SPECIAL FEES. EXHIBIT P8 TRUE COPY OF THE NOTIFICATION NO.CEE/3600/KEAM-2021/TA4 DATED 24.1.2022 OF THE GOVT. OF KERALA. EXHIBIT P9 TRUE COPY OF THE NOTIFICATION NO.CEE/3600/KEAM-2021/TA4 DATED 2.2.2022 OF THE GOVT. OF KERALA. EXHIBIT P10 TRUE COPY OF THE ORDER NO.FRC RESPONDENT.