



2025:KER:42824

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

TUESDAY, THE 17TH DAY OF JUNE 2025 / 27TH JYAISHTA, 1947

WP(C) NO. 22156 OF 2025

PETITIONER

MANATTIL HOUSE, PUTHENPEEDIKA, OORAKAM,
MELEMURI, MALAPPURAM DISTRICT, PIN - 676519.

BY ADVS.
SRI.C.DHEERAJ RAJAN
SHRI.ANAND KALYANAKRISHNAN
SHRI.LIBIN VARGHESE

RESPONDENTS:

- 1 UNION OF INDIA
REPRESENTED BY SECRETARY,
MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT,
ROOM NO 622 A-WING, SHASTRI BHAWAN,
DR. R.P.MARG, NEW DELHI, PIN - 110001.
- 2 STATE OF KERALA
REPRESENTED BY CHIEF SECRETARY TO GOVERNMENT,
MINISTRY OF PERSONNEL AND ADMINISTRATIVE REFORMS
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM,
PIN - 695001.



3 **TAHASILDAR**
TALUK OFFICE, TIRURANGADI P.O, CHEMMAD,
MALAPPURAM DISTRICT, PIN - 676306.

4 **VILLAGE OFFICER**
OORAKAM, KUTTALUR STATE HIGHWAY 72,
CHALILKUNDU, MALAPPURAM DISTRICT,
PIN - 676304.

BY ADVS.

SRI. RAJEEV JYOTHISH GEORGE, GOVERNMENT PLEADER
SMT.O.A.SHALINA, DSGI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 17.06.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



JUDGMENT

Dated this the 17th day of June, 2025

The petitioner is desirous of competing for admission to CSIR UGC NET. The petitioner, therefore, sought for issuance of an Economic Weaker Section Certificate.

2. The Tahsildar has rejected the application of the petitioner as per Ext.P3. The petitioner's application stands rejected on the ground that the plinth area of the residential house of the petitioner exceeds 1000 Square Feet. Ext.P4 Government Order at Clause 2 (iv)(b) would indicate that the limit of 1000 Square Feet is prescribed only for residential flats. As far as residential plots are concerned, the restriction is relating to residential plots of 200 Square Yards and above.

3. Ext.P5 letter issued by the Ministry of Personnel, Public Grievances and Pension, Government of India would also make clear the distinction between residential



flats and residential plots. It is, therefore, evident that residential plots and residential flats are treated differently. Viewing Ext.P4 in that context, the limitation as to 1000 Square Feet can be applied only for residential flats and not to residential plots.

4. The petitioner is not owning any residential flat. In that view of the matter, Ext.P3 is liable to be set aside. Ext.P3 is therefore set aside. There will be a consequential direction to the 3rd respondent to pass orders afresh within a period of 48 hours from the date of receipt of a copy of this judgment, taking into consideration the fact that the last date for application for CSIR UGC NET is 23.06.2025. The petitioner to serve a copy of the writ petition and judgment on the 3rd respondent, for compliance.

The writ petition is disposed of as above.

Sd/-
N. NAGARESH
JUDGE



APPENDIX OF WP (C) 22156/2025

PETITIONER EXHIBITS

- Exhibit P1** THE TRUE COPY OF THE APPLICATION FORM
DATED 04.06.2025 SUBMITTED BY THE
PETITIONER BEFORE THE 3RD RESPONDENT
- Exhibit P2** THE TRUE COPY OF THE ENQUIRY REPORT
DATED 06.06.2025 SUBMITTED BY THE 4TH
RESPONDENT HEREIN TO THE 3RD RESPONDENT
- Exhibit P3** THE TRUE COPY OF THE ORDER DATED
12.06.2025 PASSED BY THE 3RD RESPONDENT
- Exhibit P4** THE TRUE COPY OF G.O (M.S) 52/2019/GAD
DATED 14.03.2019 ISSUED BY GENERAL
ADMINISTRATION (COORDINATION
DEPARTMENT) OF THE STATE
- Exhibit P5** THE TRUE COPY OF THE LETTER NO
43011/11/2022 - ESTT (RES-II) DATED
19.09.2022 ISSUED BY THE MINISTRY OF
PERSONNEL, PUBLIC GRIEVANCES AND
PENSIONS