

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 24TH DAY OF MARCH 2015/3RD CHAITHRA, 1937

WP(C).No. 690 of 2012 (I)

PETITIONER:

**SANGEETHA VARGHESE,
D/O.ELDHOSSE SIMON, AGED 29 YEARS,
POIKKATTIL HOUSE, CHELAD.P.O,
KOTHAMANGALAM, ERNAKULAM DISTRICT.**

BY ADV. DR.GEORGE ABRAHAM

RESPONDENT(S):

- 1. MAHATMA GANDHI UNIVERSITY,
REP. BY ITS REGISTRAR,
PRIYADARSHINI HILLS, KOTTAYAM - 686 541.**
- 2. THE CONTROLLER OF EXAMINATIONS,
MAHATMA GANDHI UNIVERSITY,
PRIYADARSHINI HILLS, KOTTAYAM - 686 541.**
- 3. THE PRINCIPAL,
MAR BACELIOS COLLEGE OF NURSING,
KOTHAMANGALAM - 686 695.**

R1 & R2 BY ADV. SRI. T.A. SHAJI, SC

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 24-03-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S) EXHIBITS:

- EXHIBIT-P1- TRUE COPY OF THE MARK LIST OF THE 1ST YEAR M.SC NURSING EXAMINATION OF THE PETITIONER.
- EXHIBIT-P2- TRUE COPY OF THE RE-VALUATION APPLICATION SUBMITTED BY THE PETITIONER ON 29/12/2011.
- EXHIBIT-P3- TRUE COPY OF THE CHALAN DATED 29/12/2011 REMITTING THE FEE FOR REVALUATION.
- EXHIBIT-P4- TRUE COPY OF NOTIFICATION DATED 28/12/2011 REGARDING COMMENCEMENT OF THE 2ND YEAR M.SC NURSING DEGREE EXAMINATION ISSUED BY THE MAHATHMA GANDHI UNIVERSITY.
- EXHIBIT-P5- TRUE COPY OF THE SYLLABUS AND REGULATIONS OF M.SC NURSING DEGREE COURSE CONDUCTED BY MAHATHMA GANDHI UNIVERSITY.

RESPONDENT(S) EXHIBITS: - NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.690 of 2012

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Dated this the 24th day of March, 2015

JUDGMENT

The petitioner has approached this Court seeking for a provisional permission to attend the IInd Year M.Sc Nursing Examination subject to the outcome of the result of the revaluation of the failed subject of the first year.

2. The petitioner is a student of M.Sc. Nursing Course at Mar Bacelios College of Nursing, Kothamangalam. There are four papers in the first year examination and she had cleared all the three papers. However, she lost one subject, viz., Nursing Education Theory of the first paper. The petitioner alleges that he had applied for revaluation in time as per Exts.P2 and P3. The respondent university at the same time is taking much time to publish the results of the revaluation.

3. The petitioner further alleges that the respondent university, at the same time, without giving persons like him a breathing time

and without declaring the period during which the supplementary examinations should be conducted, declared the date of commencement of the second final year examination from 13.1.2012.

4. The petitioner points out that the M.Sc. Nursing course was commenced in October, 2009 and the first year was over by October, 2010. However, the respondent university could not conduct the examination in 2010. At the same time, they conducted the examination in October, 2011 and the results were published on 22.12.2011. The second year examination was scheduled from 13.1.2012. As per the regulations, the only candidates who have passed all subjects of the first year examination are entitled to write the second year examination.

5. It is alleged that there was only two colleges where M.Sc. Nursing course is conducted and there are only less than 15 students altogether in total. Therefore, the petitioner apprehends that the university might take considerable time to conduct the supplementary

first year examination and, therefore, he would have to wait for another year for the supplementary examination and yet another year for the second year examination and in the process, he might have lost two years. It is with this background, the petitioner has come up before this Court.

6. This Court by interim order dated 11.1.2012 directed respondents 1 and 2 to complete the revaluation of the papers on the basis of the application submission by the petitioner within a period of 6 weeks from the date of receipt of a copy of the order.

7. When the matter came up for hearing, the learned counsel for the petitioner submitted that on the basis of the said direction, revaluation was conducted and at present, there is no surviving cause of action. Recording the said submission, the writ petition is closed.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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