

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

WP(C).No. 11231 of 2012 (D)

PETITIONER :

**SAJIL M.S., AGED 21 YEARS,
S/O.LATE SIVADAS, MUNDACKAL HOUSE,
VENGALLOOR P.O., THODUPUZHA, IDUKKI DISTRICT.**

BY ADV. SRI.UNNIKRISHNAN.V.ALAPATT

RESPONDENTS :

- 1. MAHATMA GANDHI UNIVERSITY
REPRESENTED BY ITS REGISTRAR,
ATHIRAMPUZHA P.O., KOTTAYAM-686562.**
 - 2. THE CONTROLLER OF EXAMINATIONS,
MAHATMA GANDHI UNIVERSITY, ATHIRAMPUZHA P.O.
KOTTAYAM - 686562.**
 - 3. MAHATMA GANDHI UNIVERSITY COLLEGE OF ENGINEERING,
REPRESENTED BY ITS PRINCIPAL, MUTTOM P.O.,
THODUPUZHA PIN-685587.**
- R1 TO R3 BY ADV. SRI.VARUGHESE M.EASO, SC, M.G.UNIVERSITY**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 07-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

bp

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1: TRUE COPY OF THE IDENTITY CARD OF THE PETITIONER ISSUED BY R3.
- EXHIBIT P2: TRUE COPY OF THE MARK LIST OF THE PETITIONER FOR THE 1ST AND 2ND SEMESTER EXAMINATIONS.
- EXHIBIT P3: TRUE COPY OF THE MEMO DATED 30-4-2012 ISSUED BY THE ASSISTANT REGISTRAR III(EXAMS).
- EXHIBIT P4: TRUE COPY OF THE TIME TABLE OF THE 6TH SEMESTER B.TECH EXAMINATION.

RESPONDENTS' EXHIBITS :

- EXT.R1(A): COPY OF THE REPORT DT 24/2/2012.
- EXT.R1(B): COPY OF THE MEMO DT 30/4/2012.

//TRUE COPY//

P.A. TO JUDGE

bp

K.VINOD CHANDRAN, J

W.P.(C).No. 11231 of 2012

Dated 7th January, 2015

JUDGMENT

The petitioner had approached this Court aggrieved by the delay in finalization of a proceeding initiated for alleged commission of malpractice in examination, which resulted in the petitioner being interdicted from appearing in the subsequent B.Tech examinations, specifically the 6th semester examination. An interim order was passed on 15.05.2012 directing participation of the petitioner in the 6th semester examination held prospective to the said order.

2. The contention with respect to the alleged malpractice has to be agitated before the appropriate authority constituted by the University. It is not clear as to whether the proceedings have been finalized as yet. Definitely the appearance of the petitioner in the examination as directed by this Court would depend upon the finalization of such proceedings and publication of results would also be subject to such finalization. If the

proceedings have not yet been finalized, the University shall take steps to expeditiously finalize the same, after issuing notice to the petitioner and the publication of the results shall concede to the decision taken by the University in the proceedings initiated against the petitioner.

The writ petition would stand disposed of with the above direction, leaving open all contentions of the petitioner to be agitated before the appropriate forum.

Sd/-

K.VINOD CHANDRAN
Judge

Mrcs

//True Copy//