

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

WP(C).No.9292 of 2015 (J)

PETITIONER'S:

1. **VISHNU.K.S,KOLLADIKKAL HOUSE,
KARAYAMVATTAM P.O.,VALAPPAD,
TRICHUR,PIN-680 567.**
2. **AATHIRA SUDARSANAN.C,CHANDRASSERIL HOUSE,
MADAPLATHURUTH,MOOTHAKUNNAM P.O.
ERNAKULAM DISTRICT.**
3. **ABHAY.A.A,ALUMPARAMBIL HOUSE,MANJALY,
MANNAM P.O.,ERNAKULAM DISTRICT.**
4. **ABHIRAMKRISHNA C.G,CHETTIKKATTIL HOUSE,
KARUMALLOOR P.O.,THATTAMPADY,
ERNAKULAM DISTRICT.**
5. **AMAL.T.N,THOTTUPURAKKAL HOUSE,
P.O.PAZHUVIL WEST,THRISSUR DISTRICT.**
6. **AMRUTHA M.S,MAHAMALLA MADOM HOUSE,
MELOOR P.O.,POOLANY,CHALAKUDY,THRISSUR DISTRICT.**
7. **ANCY POULOSE,THEKKINEDATH HOUSE,
NEDUVANNOOR,CHOWARA P.O.**
8. **THENNAL.K.S,KOZHICKAL HOUSE,NEENDOOR,
VADAKKEKKARA P.O.,NORTH PARAVOOR,
ERNAKULAM DISTRICT -683 522.**
9. **MINNU THOMAS,KOORANVATTATHARA HOUSE,
VADAKKEKKARA P.O.,NORTH PARAVUR.**
10. **ANUSHA ABHAYAN,NARATTIL HOUSE,PULLOOR P.O.,
IRINJALAKUDA VIA,THRISSUR DISTRICT.**
11. **ARUNKUMAR P.A,PLANKUDY HOUSE,
MOOKKANNOOR P.O.,ANGAMALY,ERNAKULAM.**
12. **ATHIRA RAJ,CHILLENBALLASSERRY HOUSE,
KOOTHAPARAMBU P.O.,KODUNGALLOOR,THRISSUR.**
13. **AUGUSTINE YASHIK DAVID,MOONJELY HOUSE,
THUNDATHUMKADAVU,VARAPPUZHA P.O.,ERNAKULAM.**

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14. DELLA C.D, CHATHELY HOUSE, ALOOR P.O,
KALLETUMKARA VIA, THRISSUR DISTRICT.
 15. SIMNA K.N, KARIPPAKULAM HOUSE,
P.O.KONATHUKUNNU, IRINJALAKUDA,
THRISSUR DISTRICT.
 16. MADHAVADAS.M, THEKKEDATHPARAMBIL HOUSE,
LOKAMALESWARAM P.O., KODUNGALLOOR.
 17. ANOOP GOPI, KAITHAVALAPPIL HOUSE,
KOTTANELLOOR P.O., THRISSUR DISTRICT.
 18. NIDHIN K.S, KARAYIL THEKKUTE HOUSE,
EDAVILANGU P.O., KODUNGALLUR.
 19. ASWIN K.W, KOLLAMPARAMNBIL HOUSE,
KOTTANELLOOR P.O., PATTEPADAM, THRISSUR DISTRICT.
 20. NIDHIN VISHNU K.H, KALLINGAPURAM HOUSE,
PULLUR P.O., IRINJALAKUDA, THRISSUR DISTRICT.
 21. VISHNU K.S., KATTIL HOUSE, PERINJANAM WEST P.O.,
THADIVALAVU, THRISSUR DISTRICT, PIN-680686.
 22. SREEDEV M.S., MURIYAKKATTU HOUSE,
CHERAI P.O., ERNAKULAM, PIN-683 514.
 23. CHARISMA MARIA, PADAMATTUMAL HOUSE,
THIRUVANCHIKULAM, KODUNGALLUR P.O.
THRISSUR DISTRICT, PIN-680 664.
 24. DON BABY, PALLAN HOUSE, KOOTTUKAD,
VADAKKUMURAM P.O., ERNAKULAM DISTRICT, PIN-683 521.
 25. DRISHYA M.SURESH, POURNAMI,
MATTAPPILLY HOUSE, CHERAI P.O
ERNAKULAM DISTRICT, PIN-683 514.
 26. GREESHMA K. ARUN, KATTUNGAL HOUSE,
P.O.VADAKKUMMURI, PERINGOTTUKARA,
THRISSUR, PIN-680 570.
 27. JINURAJ.K, KANNAMPUNCHAYIL HOUSE,
MEKKAD P.O., ANGAMALY, ERNAKULAM, PIN-683 589.
 28. KRISHNENDHU RADHAKRISHNAN,
MADATHIPARAMBIL HOUSE,
KOMBATHUKADAVU P.O., PUTHENCHIRA,
THRISSUR DISTRICT, PIN-680682.
 29. KRISHNENDU K.N, KALATHUNGAL HOUSE,
VADAKKUMPURAM P.O., NORTH PARAVOOR, PIN-683 521.

30. MARY ADLIN K.M,KANNATH HOUSE,
KANDASSANKADAVU P.O.,
THRISSUR DISTRICT,PIN-680 567.
31. NAMITHA CHANDRAN,CHARUVIL HOUSE,
P.O.KARAYAMUTTAM,PIN-680567.
32. SONAT SEBASTIAN,KOTTAKKAL HOUSE,
MANNAMTHURUTHU,VARAPPUZHA P.O.
PIN-683 517.
33. SABLA E.Y,D/O.YUSUFALI E.A.,ELLUMPARAMBIL,
VARAPUZZHA P.O.,PIN-683 517.
34. SUMA SATHYADEVAN,MATHRUKRIPA,
EAST KADUNGALLOOR,PUDC COLLEGE,
ALUVA,PIN-683 102.
35. SYAM KUMAR K.K,KARAKKADA HOUSE,
P.O.TANISSERY,IRINJALAKUDA,
THRISSUR DISTRICT,PIN-680701.
36. VISNA VIJAYAKUMAR T.V,THAYAVALLIYIL HOUSE,
KOOLIMUTTAM P.O.,MATHILAKAM,
THRISSUR DISTRICT-680 691.
37. AMITH E.S,EZHUVAPPADY HOUSE,P.O.ALAPAD,
THRISSUR-680 691.
38. ANVAR SADATH M.A,MANNANTHARA HOUSE,
P.O.ERiyAD,KODUNGALLUR-680 666.
39. BRAHMADUTH T.D,THARAPARAMBIL HOUSE,
PEACOCK NAGAR,KOLAZHY P.O.
THRISSUR DISTRICT,PIN-680 010.
40. DINIL M.D,MENATH HOUSE,CHEMMANDA,
KARALAM P.O.,THRISSUR DISTRICT-680 711.
41. HUSNA A.A.,NAYARUNILATH HOUSE,MANJALY,
MANNAM P.O.,NORTH PARVOOR,PIN-683 520.
42. NIMESH THOMAS.K,KANIYAMAPURAM HOUSE,
PALLIPORT P.O.,ERNAKULAM -683 515.
43. SANGEETH K.S,KARAYIL HOUSE,KAIPAMANGALAM P.O.
THRISSUR DISTRICT,PIN-680 681.
44. THULASI.A,PARAPPULLY HOUSE,HIGH SCHOOL ROAD,
P.O.CHENTHRAPPINNI,THRISSUR DISTRICT-680687.
45. VISHAK.K SASIDHARAN,KAITHAVALAPPIL HOUSE,
NANDIKKARA P.O.,THRISSUR DISTRICT-680 301.

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46. RASHEEN MUYINUDDIN RAFI, VALIYAKATH HOUSE,
10TH STONE, P.O. THALIKULAM, THRISSUR DISTRICT, PIN-680 569.
 47. GEETHU GOPINATH, GOKULAM, THOPPIL JUNCTION,
TRIKKAKKARA P.O., KOCHI, PIN-682 021.
 48. PRASEED K.P, KOOTHUPALAKKAL HOUSE,
P.O. VALAPPAD BEACH, THRISSUR DISTRICT, PIN-680 567.
 49. NANDU T.T, THAYYIL HOUSE, P.O. VALAPPAD BEACH,
THRISSUR DISTRICT, PIN-680 567.
 50. MITHUN P.G, PIRARATH HOUSE, PALLIPPURAM P.O.,
KODANNUR, THRISSUR DISTRICT-680 563.
 51. ANANDHU K.S, KALATHIL HOUSE, PWRA-18,
PARAYIL ROAD, ELAMAKKARA P.O, PIN-682 026.

BY SRI.K.JAJU BABU (SENIOR ADVOCATE)
ADVS.SMT.M.U.VIJAYALAKSHMI
SRI.JIKKU SEBAN GEORGE

RESPONDENT'S:

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1. MAHATMA GANDHI UNIVERSITY,
PRIYADARSHINI HILLS P.O., KOTAYAM-686 560,
REPRESENTED BY ITS REGISTRAR.
 2. THE VICE CHANCELLOR, MAHATMA GANDHI UNIVERSITY,
PRIYADARSHINI HILLS P.O., KOTAYAM-686 560
 3. THE CONTROLLER OF EXAMINATIONS,
MAHATMA GANDHI UNIVERSITY,
PRIYADARSHINI HILLS P.O., KOTAYAM-686 560
 4. THE PRINCIPAL, SNM INSTITUTE OF MANAGEMENT AND TECHNOLOGY,
MALAYINKARA, NORTH PARAVUR, ERNAKULAM -683 516.

R1 -R3 BY ADV.SRI.VARUGHESE M.EASO, SC, M.G.UNIVERSITY
R4 BY ADV.SRI.K.A.MOHAMED HARIS

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 16.6.2015 THE COURT ON 24-06-2015, DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P1: COPY OF THE ORDER NO.UO NO.191/EA/II/2/61/2015/EXAM
DATED 9/3/2015 ISSUED BY THE ASSISTANT REGISTRAR, MAHATMA
GANDHI UNIVIERSTY.**

**EXT.P2: COPY OF THE COVERING LETTER DATED 11/3/2015 SENT BY THE
PRINCIPAL TO THE VICE CHANCELLOR ALONG REPRESENTATION OF
THE 8TH SEMESTER STUDENTS.**

**EXT.P3: COPY OF THE NOTIFICATION NO.EB/IV/1005/B.TECH/2014
DATED 20/3/2015 ISSUED BY THE ASSISTANT REGISTRAR, MAHATMA
GANDHI UNIVIERSTY.**

**EXT.P4: COPY OF THE ORDER NO.UO NO.213/EA/II/07/EXAM DATED 20/8/2007
ISSUED BY THE UNIVERSITY ALONG WITH COPY OF THE RELEVANT
EXTRACT OF THE MANUAL.**

RESPONDENT'S EXHIBITS:

**EXT.R1(a): TRUE COPY OF LETTER FROM PROF.SHEELA JOSEPH,
CHAIRPERSON, ELECTRICAL & ELECTRONICS ENGINEERING
BRANCH, SCMS CAMPUS MUTTOM TO THE CONTROLLER OF
EXAMINATIONS, M.G. UNIVERSITY.**

**EXT.R3(a): TRUE COPY OF LETTER DATED 21.1.2005 FROM PROF.SHEELA
JOSEPH, CHAIRPERSON, ELECTRICAL & ELECTRONICS ENGINEERING
BRANCH, SCMS CAMPUS MUTTOM, TO THE CONTROLLER OF
EXAMINATIONS, M.G. UNIVERSITY.**

EXT.R3(b): TRUE COPY OF U.O NO.2731/A1/2007/ADMN. DATED 22.11.2007.

EXT.R3(c): TRUE COPY OF U.O NO.363/EA/II/2/178/2015/EXAM DATED 29.5.2015.

**EXT.R3(d): TRUE COPY OF MARK BOOK DATED 17.12.2014 SUBMITTED BY THE
CHAIRPERSON WITHOUT SIGNATURE.**

EXT.R3(e): TRUE COPY OF U.O NO.191/EA/II/2/61/2015/EXAM DATED 9.3.2015.

EXT.R3(f): TRUE COPY OF THE RELEVANT PAGE OF EXAMINATION MANUAL.

//TRUE COPY//

P.S. TO JUDGE

A.V.RAMAKRISHNA PILLAI, J

W.P.(C).No.9292 of 2015

Dated this the 24th day of June, 2015

JUDGMENT

Aggrieved by the inaction on the part of the respondents, the petitioners come up before this Court.

2. All the petitioners are B.Tech Electrical Engineering students of VIIIth semester under the 4th respondent. They appeared for the VIIth semester Laboratory examinations held in December 2014. The petitioners allege that the examinations were held smoothly and to the knowledge of the petitioners and college there was no complaint by both the internal and external examiners. However, the results of other colleges were published, the lab examination results of the petitioners are withheld and cancelled as per Ext.P1. This was without order to the petitioners. Notwithstanding Ext.P2 representation, a re-examination is now ordered as per Ext.P3. The petitioners point out that the entire action

is illegal and violative of all principles of fairness and natural justice; hence this writ petition.

3. Heard the learned senior counsel for the petitioners and the learned Standing counsel for the respondent University.

4. All the petitioners have written final B.Tech Electrical Engineering examinations. It was submitted by the learned senior counsel for the petitioner that continuance of litigation would affect their career in case of any delay. The learned Standing counsel for the respondent University made the following suggestions before this Court; which was unacceptable to the learned senior counsel for the petitioners.

(i) The University would conduct the VIIth Semester Laboratory examination for the 4th respondent college within two weeks and publish the results on or before 31.07.2015.

(ii) the VIIth semester Electrical Engineering main and suplimentary examinations, 2014, other than laboratory examinations of the 4th respondent would be

published without any delay.

Recording the said submissions, the writ petition is disposed of, directing the respondent University to proceed with the proposed action adhering to the time schedule suggested. All other issues are left open.

Sd/-
A.V.RAMAKRISHNA PILLAI
JUDGE

VS