

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

WP(C).No. 19586 of 2015 (W)

PETITIONER(S):

ASWATHY MOHANDAS, AGED 25 YEARS
D/O. R. MOHANDAS, RESIDING AT TYPE-III/C-10
DAWSON VIHAR NAVAL CIVILIAN QUARTERS, THYKODAM
VYTILA, COCHIN 682 019

BY ADV. SMT.MARY BENJEMIN

RESPONDENT(S):

1. COCHIN UNIVERSITY OF SCIENCE & TECHNOLOGY
REPRESENTED BY ITS REGISTRAR, UNIVERSITY CAMPUS
COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY
S. KALAMASSERY, COCHIN 682022
2. THE CONTROLLER OF EXAMINATIONS,
COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY
UNIVERSITY CAMPUS
COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY
S. KALAMASSERY
COCHIN 682022
3. THE PRINCIPAL, TOCHIN INSTITUTE OF SCIENCE & TECHNOLOGY
ARAKUNNAM, ERNAKULAM 682313

R1-R2 BY ADV. SRI.MILLU DANDAPANI, SC, COCHIN UNIVERSITY
R BY SRI.MILLU DANDAPANI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
04-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE ACADEMIC CERTIFICATE DATED 9.5.2010, ISSUED BY THE 3RD RESPONDENT

EXHIBIT P2: TRUE COPY OF MARK LIST DATED 31.10.2012 OF THE V SEMESTER OF THE PETITIONER

EXHIBIT P3: TRUE COPY OF THE MARK SHEET DATED 4.12.2012 OF I & II SEMESTER OF THE PETITIONER

EXHIBIT P4: TRUE COPY OF MARK SHEET DATED 4.02.2015 OF I & II SEMESTER OF THE PETITIONER

EXHIBIT P5: TRUE COPY OF THE CONSOLIDATION MARK SHEET DATED 1.8.2010 ISSUED TO THE PETITIONER

EXHIBIT P6: TRUE COPY OF THE MARK LIST DATED 31.5.2012 OF III SEMESTER

EXHIBIT P7: TRUE COPY OF THE LETTER DATED 25.2.2015 GIVEN BY THE SECURITY PERSONAL

EXHIBIT P7(A): ENGLISH TRANSLATION OF EXHIBIT P7

EXHIBIT P8: TRUE COPY OF THE DEGREE CERTIFICATE ISSUED TO THE PETITIONER BY THE 1ST RESPONDENT

EXHIBIT P9: TRUE COPY OF LETTER DATED 28.2.2015 SENT BY THE PETITIONER TO THE 2ND RESPONDENT

EXHIBIT P10: TRUE COPY OF THE MEMO DATED 6.3.2015, ISSUED TO THE PETITIONER BY THE 2ND RESPONDENT

EXHIBIT P11: TRUE COPY REPLY DATED 16.3.2015 OF THE PETITIONER TO EXT.P10

EXHIBIT P12: TRUE COPY LETTER DATED 13.4.2015 OF THE 2ND RESPONDENT

EXHIBIT P13: TRUE COPY OF THE REPRESENTATION DATED 6.5.2015 SUBMITTED TO THE HONOURABLE GOVERNOR

EXHIBIT P14: TRUE COPY OF LETTER DATED 12.6.2015 SENT BY THE PETITIONER

EXHIBIT P15: TRUE COPY LETTER DATED 24.6.2015 ISSUED BY THE 2ND RESPONDENT

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.19586 of 2015

Dated this the 4th day of September, 2015

J U D G M E N T

The petitioner was a Civil Engineering student in the college affiliated to Cochin University of Science and Technology (CUSAT) during the year 2006-2010. The petitioner has evidently failed in Computer Programming as evidenced by Ext.P3 statement of marks issued in June, 2012. The petitioner could pass in Computer Programming only two years after as evident from Ext.P4 memorandum issued in June, 2014. It is reported that the petitioner continuously appeared for supplementary examinations from the year 2007 till she cleared all the examinations in the year 2014.

2. The petitioner had not passed in all the papers in Semesters I, II, III and V as evident by Ext.P5 consolidated mark list. Now that the petitioner has cleared all the papers, she wants a consolidated mark list incorporating the marks in all papers. CUSAT is prepared to furnish such a consolidated mark list subject to one condition. The condition is that Ext.P8 Degree Certificate mistakenly issued earlier should be

returned for a fresh Degree Certificate to be issued.

3. Ext.P8 Degree Certificate erroneously shows that the petitioner had passed the B-Tech Degree Examination in June, 2012. The fact remains that the petitioner had passed the B-Tech Degree Examination only in June, 2014 as evident by Ext.P4 memorandum. The CUSAT is perfectly justified in its stand in directing the petitioner to surrender the Degree Certificate which mistakenly shows the year of passing as June, 2012. I do not find any illegality in the stand of the CUSAT in adopting such a stand to rectify the mistake in the issue of Degree Certificate.

4. The petitioner is free to surrender Ext.P8 Degree Certificate to CUSAT within a period of one month from today. The CUSAT shall thereupon issue a fresh Degree Certificate to the petitioner showing the year of passing as 2014. The petitioner will also be issued a consolidated mark list thereupon as sought in this writ petition. The petitioner cannot aspire for a consolidated mark list retaining Ext.P8 Degree

Certificate wherein a mistake has crept in.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.