

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 8TH DAY OF JUNE 2015/18TH JYAISHTA, 1937

WP(C).No. 27151 of 2012 (T)

PETITIONERS :

1. **ABDUL MUJEEB.M.A. AGED 21 YEARS, S/O. ABDUL SAMAD
V. SEMESTER B.SC COMPUTER SCIENCE STUDENT (UNDER
SUSPENSION) COLLEGE OF APPLIED SCIENCE
INSTITUTE OF HUMAN RESOURCES DEVELOPMENT
(IHRD)NEDUMKANDAM, IDUKKI DISTRICT.**
2. **AMAL ARAVINDAN
S/O. C.G. ARAVINDAKSHAN V. SEMESTER B.SC COMPUTER SCIENCE
STUDENT (UNDER SUSPENSION) COLLEGE OF APPLIED SCIENCE
INSTITUTE OF HUMAN RESOURCES DEVELOPMENT (IHRD)NEDUMKANDAM
IDUKKI DISTRICT.**

BY ADV. SRI.JESWIN P.VARGHESE

RESPONDENTS :

1. **M.G.UNIVERSITY
REPRESENTED BY ITS REGISTRAR,
UNIVERSITY CAMPUS, KOTTAYAM-686001.**
2. **THE CONTROLLER OF EXAMINATIONS
MAHATMA GANDHI UNIVERSITY, UNIVERSITY CAMPUS,
KOTTAYAM-686001.**
3. **THE PRINCIPAL
COLLEGE OF APPLIED SCIENCE INSTITUTE OF HUMAN
RESOURCES DEVELOPMENT (IHRD) NEDUMKANDAM,
IDUKKI DISTRICT PIN-685553.**

ADDL. R4 IMPEADED :

4. **THE CHAIRMAN
BOARD FOR ADJUDICATION OF STUDENT'S GRIEVANCES
MAHATMA GANDHI UNIVERSITY, UNIVERSITY CAMPUS,
KOTTAYAM, PIN - 686001.
(ADDL.R4 IS IMPEADED AS PER ORDER DATED 16.11.2012
IN IA.NO.15397/2012)**

BY SRI.VARUGHESE M.EASO, SC, M.G. UNIVERSITY

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 08-06-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

bp

APPENDIX

PETITIONER'S EXHIBITS :

- EXT.P1: A TRUE COPY OF THE ORDER OF SUSPENSION ISSUED BY THE 3RD
RESPONDENT DATED 12-11-2012.**
- EXT.P2: A TRUE COPY OF THE NOTICE ISSUED BY THE 3RD RESPONDENT TO
THE 1ST PETITIONER DATED 12-11-2012.**
- EXT.P2(A): A TRUE COPY OF THE NOTICE ISSUED BY THE 3RD RESPONDENT TO
THE 2ND PETITIONER DATED 12-11-2012.**
- EXT.P3: A TRUE COPY OF REPRESENTATION SUBMITTED TO 3RD
RESPONDENT BY THE PARENT OF 1ST PETITIONER DATED 14-11-2012.**
- EXT.P3(A): A TRUE COPY OF REPRESENTATION SUBMITTED TO 3RD
RESPONDENT BY THE PARENT OF 2ND PETITIONER
DATED 14-11-2012.**
- EXT.P4A: TRUE COPY OF THE HALL TICKET FOR FIFTH SEMESTER
EXAMINATIONS OCTOBER 2012 ISSUED TO 1ST PETITIONER.**
- EXT.P4(A): A TRUE COPY OF THE HALL TICKET FOR FIFTH SEMESTER
EXAMINATIONS OCTOBER 2012 ISSUED TO 2ND PETITIONER.**
- EXT.P5: A TRUE COPY OF THE REPRESENTATION SUBMITTED TO 2ND
RESPONDENT BY PETITIONERS DATED 14-11-2012.**
- EXT.P5: COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS
BEFORE THE BOARD FOR ADJUDICATION OF STUDENT'S
GRIEVANCES DT 15/11/2012. (I.A. 15397/2012)**

RESPONDENTS' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 27151 of 2012

Dated this the 8th day of June, 2015

J U D G M E N T

Aggrieved by the denial of permission to the petitioners to participate in the practical examination scheduled to be held on 17.11.2012, the petitioners have come up before this Court.

2. The petitioners were the students of V Semester B.Sc Computer Science in the 3rd respondent's college during the academic year 2010-2013. The college is affiliated to MG University. On 19.11.2012, the petitioners have allegedly taken the CPU of one of the Personal Computers from their laboratory and placed it in another room in the ground floor of the college simply for a joke. The missing of CPU from the lab was noticed in the evening itself and the Principal lodged a complaint to the police and the petitioners were arrested. Thereafter, though the 3rd respondent suspended the petitioners from the college pending enquiry, on understanding the truth, they were allowed to participate in the examinations with the permission of the university. The

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petitioners and their parents submitted apology before the Principal. As the practical examination was scheduled to be held on 17.11.2012, the petitioners submitted representations before the 2nd respondent requesting to grant permission to participate in the practical examinations, which did not evoke any positive response. Hence, this writ petition.

3. This Court, by interim order dated 16.11.2012, permitted the petitioners to appear for the practical examinations.

4. Today, when the matter was taken up, the learned Standing Counsel for the respondent university submitted that on the strength of the interim order passed by this Court, the petitioners have participated in the examinations.

As the very purpose sought to be achieved by the filing of this writ petition has been served, the writ petition is closed making the interim order absolute.

A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-