

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

WP(C).No. 23826 of 2015 (C)

PETITIONER(S):

**REMYA N.J., AGED 20 YEARS,
D/O.JOSEPH ANTONY, 42/1357 B, NADUVELIL HOUSE,
MARKET ROAD, COCHIN.**

**BY ADVS.SRI.RENJITH THAMPAN (SR.)
SRI.V.M.KRISHNAKUMAR
SMT.P.R.REENA**

RESPONDENT(S):

- 1. THE VICE CHANCELLOR, UNIVERSITY OF HEALTH SCIENCES KERALA,
MEDICAL COLLEGE P.O., THRISSUR - 680 596.**
- 2. UNIVERSITY OF HEALTH SCIENCES ,
KERALA, REPRESENTED BY ITS REGISTRAR,
MEDICAL COLLEGE PO, THRISUR - 680 596.**
- 3. CONTROLLER OF EXAMINATIONS,
UNIVERSITY OF HEALTH SCIENCES KERALA,
MEDICAL COLLEGE PO, THRISSUR - 680 596.**

BY ADV. SRI.P.SREEKUMAR, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
06-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 23826 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

P1:TRUE COPY OF THE NOTIFICATION DATED 15.07.2015 OF THE UNIVERSITY.

**P2:TRUE COPY OF THE INFORMATION ISSUED BY THE STATE INFORMATION
OFFICER AND DEPUTY REGISTRAR OF THE UNIVERSITY DATED 27.07.2015.**

P3:TRUE COPY OF THE JUDGMENT IN WPC.NO.7815/2012 DATED 28.05.2012.

**P4:TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE
RESPONDENT DATED 31.07.2015**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.A.TO JUDGE.

Ms v/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 23826 of 2015

Dated this the 6th day of August, 2015

J U D G M E N T

The petitioner is seeking a direction to the respondent to consider Ext.P4 and to expedite the revaluation of her answer sheets of first year BDS course.

2. The petitioner is undergoing studies in the BDS course at Sri Anjaneya Institute of Dental Science, Modkanallur, Calicut affiliated to the Kerala University of Health Science. The 1st year examination of BDS course included papers, Physiology Biochemistry, General Anatomy and Dental Anatomy. The 1st year examination was conducted by the university in August 2014 and the result was announced in December, 2014. The result shows that the petitioner has not secured pass mark in Physiology Biochemistry paper and General Anatomy paper. Thus, the petitioner appeared for the supplementary examination in both the papers, result of

..2..

which was announced on 30.05.2015. As per the university stipulation, the pass mark for both the papers, Physiology Biochemistry and General Anatomy is 50. According to the petitioner, she was confident that she would pass the said examination with flying colours. However, when the result came, she obtained only 44 marks in Physiology Biochemistry and 45 marks in General Anatomy paper and has not passed in the examination. According to her, this was not to her expectation and hence, she filed an application under the Right to Information Act for getting the copy of answer sheet of the subjects, Physiology Biochemistry and General Anatomy; and she received copy of the said answer sheets. According to her, it is abundantly clear that she had performed well in the said two examinations and there is no reason why she should not be declared passed. Hence, she approached the university authorities for getting the said answer sheets revalued in the supplementary examination held in February, 2015. Her

..3..

grievance is that she was told that there is no revaluation of answer sheets in the university. Hence, this writ petition.

3. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent university.

As the learned counsel for the petitioner confined her argument to the limited prayer for a direction to consider Ext.P4 representation, this writ petition is disposed of directing the respondent university to consider and pass orders on Ext.P4 in the light of Ext.P3 judgment after affording the petitioner an opportunity of being heard within a period of two weeks from the date of receipt of a copy of this judgment.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-