

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

WP(C).No. 23965 of 2015 (U)

PETITIONERS :

1. SNEHA K., AGED 21 YEARS,
3RD YEAR BCA STUDENT
NIRMALA COLLEGE OF INFORMATION TECHNOLOGY
CHALAKKUDY.
2. RESHMA S. PILLAI, 3RD YEAR BCA STUDENT
NIRMALA COLLEGE OF INFORMATION TECHNOLOGY
CHALAKKUDY.
3. ANEETA MARY KARATHRA, 3RD YEAR BCA STUDENT
NIRMALA COLLEGE OF INFORMATION TECHNOLOGY
CHALAKKUDY.
4. RESMI A. RAVEENDRAN, 3RD YEAR BCA STUDENT,
NIRMALA COLLEGE OF INFORMATION TECHNOLOGY,
CHALAKKUDY.
5. MERIN JOY, 3RD YEAR BCA STUDENT,
NIRMALA COLLEGE OF INFORMATION TECHNOLOGY,
CHALAKKUDY.
6. ROMINA JOHNSON, 3RD YEAR BCA STUDENT
NIRMALA COLLEGE OF INFORMATION TECHNOLOGY
CHALAKKUDY.
7. ANJU P.MOHAN, 3RD YEAR BCA STUDENT
NIRMALA COLLEGE OF INFORMATION TECHNOLOGY
CHALAKKUDY.
8. EBIN V.J., 3RD YEAR BCA STUDENT,
NIRMALA COLLEGE OF INFORMATION TECHNOLOGY,
CHALAKKUDY.
9. HEBERN JOSEPH, 3RD YEAR BCA STUDENT
NIRMALA COLLEGE OF INFORMATION TECHNOLOGY
CHALAKKUDY.
10. YESUDAS, 3RD YEAR BCA STUDENT
NIRMALA COLLEGE OF INFORMATION TECHNOLOGY
CHALAKKUDY.

WP(C).No. 23965 of 2015 (U)

BY ADVS.SRI.DEEPU THANKAN
KUM.P.V.JAYALAKSHMY
SRI.THOMAS.C.KONDODY
SRI.K.C.SANTHOSH

RESPONDENTS :

1. MAHATMA GANDHI UNIVERSITY
KOTTAYAM, REP. BY ITS REGISTRAR-686560.
2. CONTROLLER OF EXAMINATION,
MAHATMA GANDHI UNIVERSITY, KOTTAYAM-686560.
3. NIRMALA COLLEGE OF INFORMATION TECHNOLOGY,
CHALAKKUDY, REP. BY ITS PRINCIPAL-680307.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1: TRUE COPY OF THE HALL TICKET ISSUED TO THE 1ST PETITIONER.
- EXHIBIT P2: TRUE COPY OF THE HALL TICKET ISSUED TO THE 3RD PETITIONER.
- EXHIBIT P3: TRUE COPY OF THE HALL TICKET ISSUED TO THE 4TH PETITIONER.
- EXHIBIT P4: TRUE COPY OF THE COURSE COMPLETION CERTIFICATE ISSUED TO THE 4TH PETITIONER DATED 31-03-2015.
- EXHIBIT P5: TRUE COPY OF THE EMPLOYMENT LETTER ISSUED BY THE INFOSYS LTD. TO THE 1ST PETITIONER.
- EXHIBIT P6: TRUE COPY OF THE LETTER OF INTENT ISSUED BY THE WIPRO TECHNOLOGIES TO THE 4TH PETITIONER.
- EXHIBIT P7: TRUE COPY OF THE LETTER OF THE 3RD RESPONDENT DATED 20-6-2015.
- EXHIBIT P8: TRUE COPY OF THE REPRESENTATION DATED 26-7-2015 OF THE PETITIONER TO THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 23965 of 2015

Dated this the 11th day of August, 2015.

JUDGMENT

Petitioners are seeking a direction to the respondent university to conduct the postponed practical examination as well as viva examination for BCA undergone by them through an off-campus centre.

2. Petitioners are third year (5th and 6th Semester) students of BCA course, 2012-2015 batch which is an off-campus course offered by the respondent university. Petitioners allege that they have come out successfully in the first and second year examination conducted by the university and also completed the third year of the course. The petitioners further alleges that theory examination of the final year, ie, 5th and 6th semester were over by May 2015. Normally the respondent university conduct the practical examination and viva examination within three weeks from the date of completion of theory examination. Though the dates for the practical and viva voce examination of petitioners were

declared earlier, without giving any valid reasons that has been postponed by the university indefinitely. It is further pointed out that they were selected and placed in various multinational software companies by way of campus recruitment and as per their employment letter, they had to report for joining in the month of July 2015. However, as per the conditions of letter of appointment of qualifying examination, practical and viva examination have to be completed before that. As the viva examination was postponed indefinitely, petitioners could not join on the date fixed by those multinational software companies. The time for joining has been extended by those companies will be expiring at the end of August, 2015. Hence, a request was submitted by the college as well as the petitioner before the respondent university. However, no action has been taken by the respondent university without giving any valid reasons. The action of the university is in fact, would adversely affect the career and future of the petitioners; it is alleged. It is with this background, the petitioners have come up before this Court.

3. I have heard the learned counsel for the petitioners and the learned standing counsel for the respondent university in the matter.

4. The learned standing counsel for the respondent university on instructions submits that the respondent university would be able to schedule the date of examination within a period of two weeks.

Therefore, the writ petition is disposed of directing the respondent university to publish the schedule within the time frame and to complete the practical and viva examinations as early as possible so that petitioners can join for any other course, if they wish. It shall be open to the petitioners to obtain the confidential mark sheet on proper application immediately after the tabulation is over. Needless to say, the entire process shall be completed by the respondent university at the earliest, at any rate, within a period of one month from the date of receipt of a copy of this judgment.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.