

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

WP(C).No. 27053 of 2015 (F)

PETITIONER:

BINOY G. JOHN, S/O. JOHN GEEVARGHESE,
BINOY NIVAS, CHENNITHALA P.O.,
MAVELIKKARA, ALAPPUZHA 690105.

BY ADVS. SRI. MADHU N. NAMBOOTHIRIPAD
SRI. C. E. MANOJ NAIR

RESPONDENTS:

1. MAHATMA GANDHI UNIVERSITY
REPRESENTED BY ITS REGISTRAR,
PRIYADARSINI HILLS, ATHIRAMPUZHA,
KOTTAYAM 686 560.
2. VICE CHANCELLOR,
MAHATMA GANDHI UNIVERSITY,
PRIYADARSINI HILLS, ATHIRAMPUZHA,
KOTTAYAM 686 560.
3. CONTROLLER OF EXAMINATIONS,
MAHATMA GANDHI UNIVERSITY,
PRIYADARSINI HILLS, ATHIRAMPUZHA,
KOTTAYAM 686 560.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE MARK LIST OF THE
SUBSIDIARY/SUPPLEMENTARY EXAMINATION HELD IN MARCH
2012 DATED 12.10.2012 BEARING REG.NO.17100
- EXHIBIT P2 : TRUE COPY OF THE MARK LIST BEARING REG.NO.1225051 OF THE
PETITIONER DATED 31.10.2012
- EXHIBIT P3 : TRUE COPY OF THE ABOVE REPRESENTATION SUBMITTED BY THE
PETITIONER DATED 20.04.2015 ADDRESSED TO THE VICE
CHANCELLOR OF THE UNIVERSITY
- EXHIBIT P4 : TRUE COPY OF THE MEMO ISSUED BY THE 3RD RESPONDENT
CONTROLLER OF EXAMINATIONS OF MG UNIVERISITY DATED
25.08.2015
- EXHIBIT P5 : TRUE COPY OF THE LETTER OF APPOINTMENT ISSUED BY GULF
SUPPLIES, KINGDOM OF BEHRAIN DATED 10.03.2015
- EXHIBIT P6 : TRUE COPY OF THE REMINDER DATED 20.08.2015 SENT BY THE
GULF SUPPLIES, KING OF BEHRAIN

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 27053 OF 2015

Dated this the 16th day of September, 2015

JUDGMENT

The petitioner could write the supplementary examination only if he had failed in the regular examination. The petitioner did fail in the regular examination and sat for the supplementary examination. But the petitioner eventually passed in the regular examination on revaluation.

2. It is ofcourse true that the petitioner has obtained better marks in the supplementary examination. But those marks cannot be reckoned when he has already passed in the regular examination. The petitioner cannot tack on the marks in the supplementary examination to the regular examination. A consolidated mark list as sought by the petitioner cannot be issued.

3. The stand of the respondent University in this regard is well justified. I do not find any ground to entertain this writ petition.

The Writ Petition is dismissed.

**V. CHITAMBARESH
JUDGE**