

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 24TH DAY OF NOVEMBER 2015/3RD AGRAHAYANA, 1937

WP(C).No. 34862 of 2015 (G)

PETITIONER(S):

**JOSEPH SALMON, AGED 20 YEARS
S/O.JOSHY, STUDING 5TH SEMESTER B.TECH
(MECHANICAL ENGINEERING) AT MATHA COLLEGE OF TECHNOLOGY
MANAKKAPDI, KARUMALLOOR PO, N.PARAVUR
ERNAKULAM
KERALA 683511 RESIDING AT PUTHENPADATH HOUSE
PALLIPORT PO, ERNAKULAM 683515**

**BY ADVS.SRI.T.R.S.KUMAR
SRI.SIJO PATHAPARAMBIL JOSEPH**

RESPONDENT(S):

- 1. THE MAHATMA GANDHI UNIVERSITY
REPRESENTED BY ITS REGISTRAR
MAHATMA GANDHI UNIVERSITY OFFICE
PRIYADARSHINI HILLS PO, KOTTAYAM 686560**
- 2. THE VICE CHANCELLOR
MAHATMA GANDHI UNIVERSITY, PRIYADARSHINI HILLS PO
KOTTAYAM 686560**
- 3. THE CONTROLLER OF EXAMINATIONS
MAHATMA GANDHI UNIVERSITY OFFICE
PRIYADARSHINI HILLS PO, KOTTAYAM 686560**
- 4. THE ASSISTANT REGISTRAR (EXAMS)
MAHATMA GANDHI UNIVERSITY OFFICE
PRIYADARSHINI HILLS PO, KOTTAYAM 686560**
- 5. THE PRINCIPAL
MATHA COLLEGE OF TECHNOLOGY, MANAKKAPADI
KARUMALLOOR PO, N.PARAVUR, ERNAKULAM
KERALA 683511**

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

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 24-11-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF THE IDENTITY CARD ISSUED BY THE 5TH RESPONDENT**
- P2: TRUE COPY OF THE CASH RECEIPT OF THE EXAMINATION FEES PAID BY THE PETITIONER DATED 31.10.2015**
- P3: TRUE COPY OF THE ATTENDANCE DETAILS ISSUED BY THE 5H RESPONDENT**
- P4: TRUE COPY OF THE MEDICAL CERTIFICATE FURNISHED BY THE PETITIONER TO THE 5TH RESPONDENT DATED 30.08.2015**
- P5: TRUE COPY OF THE LETTER DATED 09.12.2014 ISSUED BY THE 5TH RESPONDENT TO THE 1ST RESPONDENT TO REDO THE 4TH SEMESTER FOR THE LACK OF ATTENDANCE**
- P6: TRUE COPY OF THE APPLICATION FOR READMISSION IN TO THE 4TH SEMESTER BY THE PETITIONER TO THE MG UNIVERSITY DATED 08.12.2014**

RESPONDENT(S)' EXHIBITS: **NIL**

//True copy//

P.A. to Judge

ds

P.BHAVADASAN, J.

W.P.(C) No. 34862 of 2015

Dated this the 24th day of November, 2015

J U D G M E N T

Here is a case where a student of an Engineering College has approached this Court seeking a direction from this Court to permit him to appear for the 5th semester examination. He says that he was ill from 03.08.2015 to 30.08.2015 and if that period is taken into consideration and also the fact that as per the University Calendar, the course started only on 24.07.2015, the petitioner will satisfy the required attendance conditions. The grievance of the petitioner is that in spite of this facility available to the student, he is not being allowed to be utilized it due to the adamant attitude of the Principal of the College.

2. Notice to the 5th respondent was sent by special messenger and it has been served. He has not entered appearance and answered Paragraph No. 6 of the writ petition.

3. Under these circumstances, it is only proper that the petitioner be allowed to appear for the 5th semester examination subjected to conditions.

Hence, this petition is disposed of directing the respondents to permit the petitioner to write the 5th semester examination subject to the conditions that he files proper application, if he has not already done so, for condonation of deficiency of attendance before the appropriate authorities and the result of the examination will be published only after the decision is taken on such an application.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge