

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 09-03-2015

CORAM:

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

W.P.No.1200 of 2014 and 30211 of 2013

and

M.P.Nos.1,2 and 1 of 2013

In W.P.No.30211 of 2013:

K. Srinivasan

... Petitioner

Vs.

1. The Commissioner of Technical Education
Directorate of Technical Education
Guindy, Chennai – 600 025

2. Sri Sairam Engineering College
Rep. by its Principal
Sai Leo Nagar, West Tambaram
Chennai – 600 059

3. Anna University
Rep. by its Vice Chancellor
Guindy, Chennai – 600 025

Respondents

In W.P.No.1200 of 2014:

K. Srinivasan

... Petitioner

Vs.

1. Anna University
Rep. by its Registrar
Guindy, Chennai – 600 025

2. The Commissioner of Technical Education
Directorate of Technical Education
Guindy, Chennai – 600 025

3. Sri Sairam Engineering College
Rep. by its Principal
Sai Leo Nagar, West Tambaram
Chennai – 600 059

Respondents

Prayer: Petitions filed under Article 226 of the Constitution of India praying for a writ of mandamus and certiorarified mandamus directing the 3rd respondent-University to receive petitioners application alongwith the examination fees for 7th Semester Exams B.E.Civil Engineering by condoning the shortage of attendance without insisting upon the recommendation and counter signature of the Principal of the 2nd respondent college and permit him to appear for the 7th semester exam scheduled to be held from 12.11.2013 conduct the Practical exams in Computer Aided Design and Drafting Laboratory and Design Project to the petitioner and calling for the records from the 1st respondent relating to proceedings dated 13.11.2013 bearing reference viz. Proceedings No.4125/COE/C24 / 2013 and quash the same and consequently direct the respondents 1 and 2 to declare the results of the 7th Semester exam written by the petitioner during December 2013 and allow his to successfully complete the BE course for which petitioner was admitted in the 3rd respondent College, respectively.

For petitioner :: Mr. N.G.R. Prasad for M/s. Row and Reddy
For respondents :: Mr. R. Vijayakumar, AGP (for R2 in WP.1200/14 and
 for R1 in WP.30211/13)
 Mr.M. Vijayakumar, (for R1 in WP.1200/14
 and R3 in WP.30211/13)
 Mr. R. Sureshkumar (for R3 in WP.1200/14 and
 for R2 in WP.30211/13)

COMMON ORDER

Heard Mr. N.G.R. Prasad, learned counsel for the petitioner, Mr. M. Vijayakumar, learned counsel appearing for the respondent No.3 (the respondents are arrayed as per W.P.No.30211 of 2013) and Mr. R. Suresh Kumar, learned counsel for the second respondent.

2. The writ petition No.30211 of 2013 has been filed by the petitioner to direct the third respondent-University to receive the petitioner's application along with the examination fees for 7th semester examination for the B.E. Civil Engineering Course by condoning the shortage of attendance without insisting upon the recommendation and counter signature of the Principal of the second respondent-College and permit him to appear for the exam. When the said writ petition was pending, the first respondent passed an order on 13-11-2013 stating that the petitioner lacks attendance and he was advised to redo the VII semester examination as per the norms. The petitioner has challenged the order passed by the first respondent-The Commissioner of Technical Education dated 13-11-2013 in W.P.No.1200 of 2014.

3. The petitioner has made certain allegations against the third respondent-College, which he seeks to withdraw and also seeks permission of this Court to withdraw the writ petition with a direction to the third respondent-College to issue the Transfer Certificate, Conduct Certificate, return all the original certificates and other credentials.

4. The learned counsel appearing for the third respondent-College submitted that in the light of the fact that the petitioner has withdrawn all the allegations against the third respondent, the third respondent is ready to give the Transfer Certificate, Conduct Certificate and also return all the original certificates

of the petitioner.

5. The learned counsel for the petitioner seeks for a further observation from this Court to enable the petitioner to secure admission in any other College by way of counselling. The learned counsel submitted that counselling is to be shortly conducted and the petitioner is willing to re-do the VII and VIII semester in any other College.

6. In the light of the above, the writ petitions are dismissed as withdrawn. All the allegations made against the third respondent-College are withdrawn and thus, stand eschewed. The third respondent is directed to return all the certificates of the petitioner and the petitioner shall apply for allotment to some other College, so as to enable him to pursue the course, which shall be considered by the first and the third respondent.

7. The writ petition is disposed of, with the above observations. No costs. The connected miscellaneous petitions are closed.

09-03-2015

glp

Note: Issue tomorrow
(09-03-2015)

To

1. The Commissioner of Technical Education
Directorate of Technical Education
Guindy, Chennai – 600 025
2. Anna University
Rep. by its Vice Chancellor
Guindy, Chennai – 600 025

T.S. SIVAGNANAM,J.

glp

W.P.No.1200 of 2014 and 30211 of 2013
and
M.P.Nos.1,2 and 3 of 2013

09-03-2015