

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.02.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.18875 of 2014 &
M.P.No. 1 of 2014

G.Sivaselvan

.. Petitioner

Vs.

1.The Controller of Examinations
Anna University
Chennai 600 025.

... Respondent

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of certiorarified mandamus to call for the records pertaining to order dated 17.3.2014 in Memo No.17000/COE/ C73/ Enquiry/2013 by the respondent and quash the impugned order and consequently direct the respondent to revalidate and return the M.E. Post Graduation degree certificates to the petitioner.

For Petitioner : Mr.A.P.Surya Prakasam

For Respondent : Mr.M.Vijayakumar
Standing Counsel for Anna University

O R D E R

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2.Heard Mr.A.P.Surya Prakasam, learned Counsel appearing for the petitioner and Mr.M.Vijayakumar, Standing Counsel for Anna university appearing for the respondent.

3.The petitioner has filed this writ petition challenging the order passed by the respondent dated 17.3.2014. By the said order, the petitioner was informed that he was working as faculty member in Thiru Ramakrishna Nallammal Polytechnic College while studying Full time student in M.E.(CSE) in Sasurie College of Engineering, Vijayamangalam, Tirupur District, which is against the rules and regulations of the respondent University.

4.A Committee was constituted to go into the irregularities of such students, which submitted a report and that report was considered by the 229th Syndicate held on 06.03.2014 and it passed a resolution directing the candidates like the petitioner to re-do the same as Day-Time (part time) mode. In fact this Court on an earlier occasion considered the identical issue wherein, in a batch of cases similarly placed persons teaching as Full time faculty in a particular Engineering College and pursuing their Post Graduation in another Institution, several kilo metres away from the Institutions where they were working as full time staff, this Court took an identical decision in respect of those candidates to re-do the same as Day-Time (part time) mode in W.P.Nos.9115 to 9133 Of 2010 etc batch dated 28.07.2010, and it is submitted that the order of this Court has also been confirmed by the Hon'ble Division Bench.

5.In the case on hand the learned counsel for the petitioner submitted that the petitioner has submitted a representation dated 06.06.2014, stating that the petitioner has resigned and relieved from the job on 27.07.2009 itself.

6.In the light of the said representation, while declining to quash the impugned order passed by the respondent University, there will be a direction to the respondent to consider the representation submitted by the petitioner dated 06.06.2014, verify the genuineness of the same and pass a fresh order on merits and in accordance with law, as expeditiously as possible.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Asst.Registrar (Lok adalat)

/true copy/

Sub Asst. Registrar

rpa

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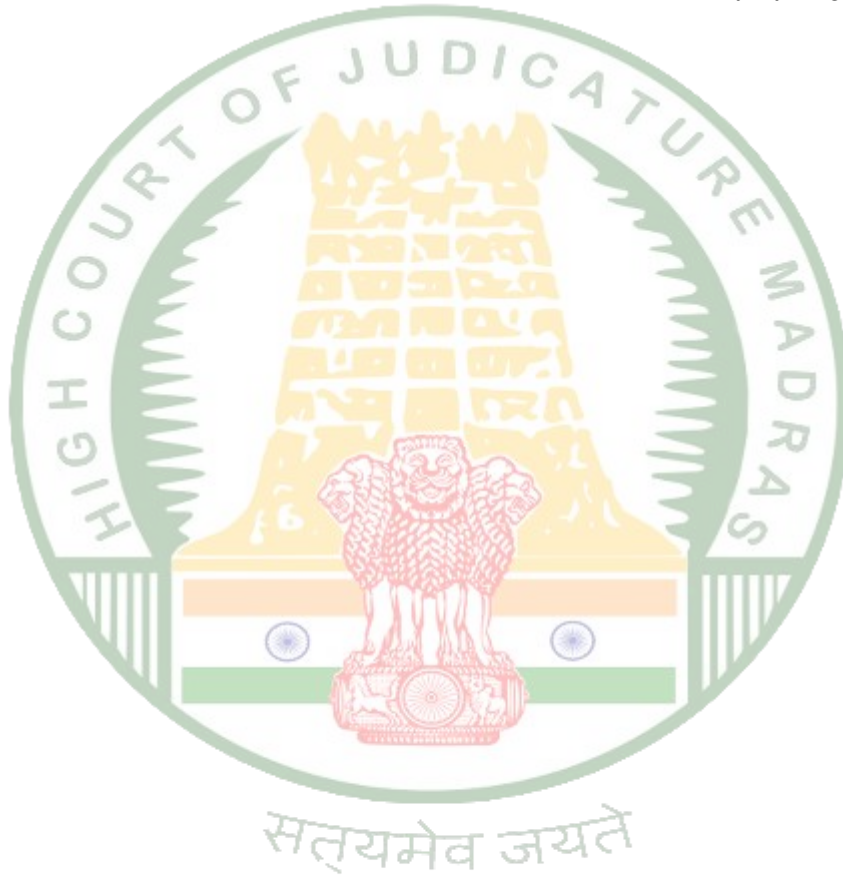
To

1.The Controller of Examinations
Anna University
Chennai 600 025.

1 cc to Mr.N. Santhosh Nagarajan, Advocate, sr. 8671
1 cc to Mr.M. Vijayakumar, advocate, Sr. 8937

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