

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

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WRIT PETITION No.31045 OF 2011

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ORDER:

This writ petition is filed challenging the inaction of the respondents in permitting the petitioner to complete his Bachelor of Engineering (E.C.E) course with Roll No.04074122.

Heard Sri K.S. Murthy, learned counsel for the petitioner and Sri Deepak Bhattacharjee, learned Government Pleader for Higher Education (T.G).

It is the case of the petitioner that he joined in the first year Bachelor of Engineering (E.C.E) course in Mukhaffam Jhah College of Engineering and Technology in the year 2006-07 and he was promoted to 2nd and 3rd years. It is stated that even though the petitioner was promoted to 2nd year and 3rd year, he had one backlog paper viz., Engineering Graphics in the 1st year course. In the supplementary examination for the 1st year Engineering Course held on 30.06.2010, at Vasavi College of Engineering & Educational Institution, Ibrahim Bagh, Golconda, there were some disturbances during the examination and in that connection, the petitioner was alleged to have indulged in swapping of his hall ticket with another candidate by name Mr. Md. Ajaz Ahamed, S/o. Md. Ikbali Ahamed discovering the malpractice. A case of impersonation had also been booked against the petitioner and it is pending.

Inasmuch as the petitioner alleged to have been indulged in malpractice with respect to the examination, the University did not allow the petitioner for writing the examinations. Subsequently, petitioner appears to have been appearing for the examinations from time to time based on the interim order dated 28.05.2012, passed by this Court in W.P.M.P.No.20305 of 2012.

Though a reply affidavit has been filed by the petitioner, there is no mention as to what back logs the petitioner left to be completed. Inasmuch as the writ petition was filed seeking the relief as set out above and in the facts of the present case, the relief of such nature in the writ petition cannot be granted especially when there is a specific allegation of indulging of a student in malpractice. In that view of the matter, the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. However, the dismissal of the writ petition does not disentitle the petitioner to avail any other legal remedies, if he has any further grievance in future. There shall be no order as to costs. Miscellaneous petitions, if any, pending in the writ petition, shall also stand closed.

JUSTICE CHALLA KODANDA RAM

Date:13.11.2015

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THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

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