

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2016

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.10468 of 2016

R.Satheesh

... Petitioner

vs.

1. The Commissioner

Directorate of Technical Education,
Sardar Patel Road,
Guindy, Chennai - 600 025.

2. The Principal

Bharath Polytechnic College,
Manickampalayam,
Tiruchengode,
Namakkal District.

3. The Chairman

Board of Examination,
Directorate of Technical Education,
Sardar Patel Road,
Guindy, Chennai - 600 025.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus, directing the respondents to consider the letter of the petitioner, dated 27.02.2016, permit the petitioner to pay the fees to writ examination for 3 subjects in two times in the Academic year 2016-2017.

For Petitioner : Mr.N.Balakrishnan

For Respondents: Mr.M.Dig Vijayapandian, AGP

ORDER

The writ petition has been filed under Article 226 of the Constitution of India, seeking an order in the nature of writ of mandamus, directing the respondents to consider the letter of the petitioner, dated 27.02.2016, by permitting the petitioner to pay the fees to writ examination for 3 subjects in two times in the Academic year 2016-2017.

2. The petitioner studied Diploma Computer Engineering in Bharath Polytechnic College, Manickampalayam, Tiruchengode, Namakkal District in the year 2005-2008 and the College Code is No.552. Though the petitioner has completed the course, till he has to clear 7 subjects and according to the petitioner, due to family situation, the petitioner could not write exam immediately after completing the course. Thereafter, during the examination conducted in April 2009 and October 2015, the petitioner wrote 7 subjects and passed 4 subjects and failed in the remaining 3 subjects. Hence, the petitioner requested the respondents to permit him to write exam another two times for the remaining 3 subjects in the coming year 2016-17, for which he has also sent a representation, dated 27.02.2016 to the respondents. But the respondents have not considered the said representation of the petitioner and hence, the petitioner has approached this Court, by way of filing this writ petition, seeking for the relief as stated supra.

3. Heard the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents.]

4. Considering the facts and circumstances and after hearing the submissions of both sides, I am of the opinion it would be appropriate to direct the respondents to dispose the representation of the petitioner. Accordingly, without going into the merits of the case of the petitioner, this Court directs the respondents to dispose the said representation of the petitioner, dated 27.02.2016, within a period of three weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any opinion with regard to the merits of the claim of the petitioner and it is open to the respondents to decide the issue purely on merits and in accordance with law.

5. With the above observations, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

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Sub Assistant Registrar

To

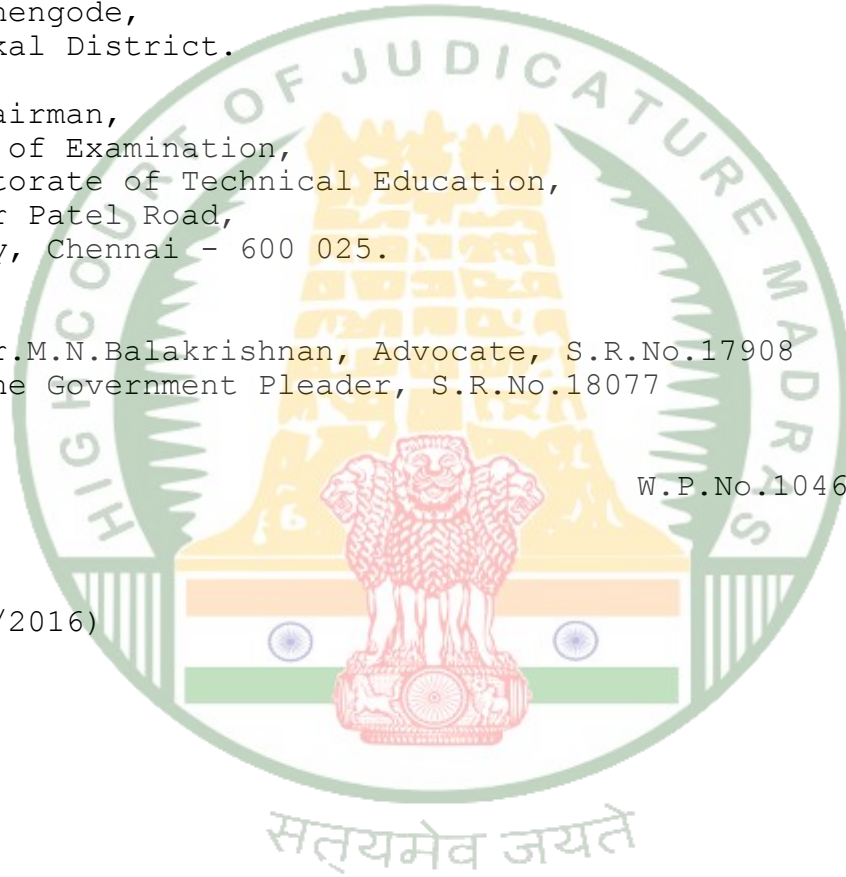
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+1cc to Mr.M.N.Balakrishnan, Advocate, S.R.No.17908

+1cc to the Government Pleader, S.R.No.18077

W.P.No.10468 of 2016

rv (CO)
srg (29/03/2016)



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