

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.38478 of 2015

V.Vijayalakshmi

.. Petitioner

Vs.

1. The Registrar,
Tamil Nadu Teachers'
Education University,
Lady Wellington College Campus,
Kamarajar Salai, Chennai-600 005.
2. The Controller of Examinations,
Tamil Nadu Teachers'
Education University,
Lady Wellington College Campus,
Kamarajar Salai, Chennai-600 005.
3. Sri Krishna College of Education,
Sri Krishna Nagar,
Kainoor Village, Tiruttani Road,
Arakkonam-631 003, Vellore District .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to allow the petitioner (Register No.1292311MD035) to write M.Ed. degree examination for the subject Advanced Educational Psychology with Subject Code--PDAB to be conducted in December 2015 and to publish the results for the same.

For Petitioner : Mr.G.Sankaran

For Respondents: Mr.U.Venkatesan for RR-1 & 2

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the respondents to allow the petitioner (Register No.1292311MD035) to write M.Ed. degree examination for the subject Advanced Educational Psychology with Subject Code--PDAB, which was scheduled to be conducted in December 2015 and to publish the results for the same.

2. It is averred by the petitioner in the affidavit filed in

support of the Writ Petition that she has qualified in B.Sc. (Mathematics) in 1999 from University of Madras, B.Ed. in June 2005 from IGNOU and M.Sc. (Mathematics) in 2005 from Annamalai University. With a view to acquire the qualification in M.Ed. degree, she joined M.Ed. degree course (one year degree course) in the third respondent-College in the academic year 2011-2012 and she is assigned with Register No.1292311MD035. Due to her medical treatment and surgery in Uterus, she could not clear all papers in M.Ed. degree in the academic year 2011-12 and also in the subsequent years. It is her case that as per the regulations and syllabus prescribed for M.Ed. degree course, three years' time is given to clear all the papers. Hence, she made application to write the examination in 2014 and also in May 2015 for writing one subject, namely Advanced Educational Psychology with Subject Code-PDAB. By proceedings dated 19.11.2015, the second respondent returned the said application along with Demand Draft, on the ground that her last chance was over by May 2015. Hence, she has filed this Writ Petition for the relief stated supra.

3. The first respondent has filed counter affidavit inter-alia stating that the first and second respondents are not empowered to permit the petitioner to appear for written examination in December 2015, after lapse of three consecutive academic years and hence, her application for M.Ed. examination in December 2015, was rejected by the respondents-University by strictly following the University Regulations.

4. This Court, by order dated 18.12.2015, passed an order of interim direction directing the respondents to permit the petitioner to write the said examination, which was scheduled to be held on 22.12.2015, however, this Court observed that the results shall not be published and the petitioner shall not claim any equity.

5. When the Writ Petition is taken up for hearing, learned counsel for the petitioner prayed for publishing the results in respect of the above said examination written by the petitioner pursuant to the interim order of this Court. However, the learned counsel for the respondents 1 and 2 submitted that the prayer of the writ petitioner is not as per the University Regulations. Relying upon the counter affidavit, learned counsel for the first and second respondents fairly submitted that if the petitioner submits a representation by stating the reasons for relaxing the three year limitation for re-appearing in the University Examinations, it will be placed before the Board of Studies, Academic Council and Syndicate of the University for consideration.

6. In view of the submission made by the learned counsel for

the respondents 1 and 2, this Court is not inclined to grant positive direction as prayed for by the petitioner. But taking into consideration the facts and circumstances of the case and the submissions made by learned counsel for the respondents 1 and 2, this Court directs the petitioner to submit a representation to the first and second respondents for publishing the results of the above said examination, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the first and second respondents are directed to place the same before the Board of Studies, Academic Council and Syndicate, to pass appropriate orders, on merits and in accordance with law, on the said representation, as early as possible.

7. With the above observations and directions, the Writ Petition is disposed of. The Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

cs
Copy to

1. The Registrar,
Tamil Nadu Teachers' Education University,
Lady Wellington College Campus,
Kamarajar Salai, Chennai-600 005.
2. The Controller of Examinations,
Tamil Nadu Teachers' Education University,
Lady Wellington College Campus,
Kamarajar Salai, Chennai-600 005.

+1cc to Mr.G. Sankaran, Advocate, S.R.No.12333
+1cc to Mr.U. Venkatesan, Advocate, S.R.No.11615

VSN(CO)
EU(10/03/2016)

W.P.No.38478 of 2015