



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2016

CORAM:

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THE HONOURABLE MS.JUSTICE K.RAVICHANDRABAABU

W.P (MD) No.20477 of 2016

and

W.M.P. (MD) No.14671 of 2016

S.Prabaharan

.. Petitioner

Vs.

1.The Registrar,
Manonmaniam Sundaranar University,
Tirunelveli.

2.The Controller of Examination
Manonmaniam Sundaranar University,
Tirunelveli.

3.The Principal,
T.D.M.N.S.College,
T.Kallikulam,
Radhapuram Taluk,
Tirunelveli District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents more particularly the 1st respondent to grant approval for the petitioner to continue his studies of 2nd year B.B.A (Business Administration) course during the academic year 2016-2017 in the 3rd respondent college on the application of the 3rd respondent.

For Petitioner: Mr.D.Venkatesh

For R1 & R2 : Mr.E.Marees Kumar for
M/s.Ajmal Associates

For R3 : Mr.S.Manickam

ORDER

The petitioner seeks for a Mandamus directing the respondents, more particularly, the first respondent to grant approval for him to continue his studies of 2nd year B.B.A (Business



Administration) course during the academic year 2016-2017 in the 3rd respondent college on the application of the 3rd respondent.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the first and second respondent and the learned counsel appearing for the third respondent.

3. The petitioner was originally pursuing his studies at S.T.Hindu College, Nagercoil, in B.B.A., course during the academic year 2015-2016. As he found it very difficult to pursue his studies in the said college, since his native place is far away, he wanted to continue the course in the third respondent college from 2nd year onwards. Accordingly, the third respondent, based on the request made by the petitioner, admitted the petitioner in second year B.B.A., course, however, by indicating that the petitioner should get approval from the University for continuing such study in the second year in the third respondent college.

4. It appears that for granting such approval, the petitioner has to obtain 'No Objection Certificate' from the previous college, namely, S.T.Hindu College. It is seen that the petitioner had obtained such certificate on 08.09.2016 from the said college and produced the same before the third respondent, who in turn, forwarded the same to the first respondent for getting approval. Now, it is contended before this Court that as the 'No Objection Certificate' was obtained with some delay, the first respondent University could not grant the approval within time.

5. Considering the above stated facts and circumstances, this Court is of the view that the third respondent college having admitted the petitioner in the second year B.B.A course in time of the said academic year and considering the fact that the petitioner has also obtained 'No Objection Certificate' from the erstwhile college and that certificate is available with the first respondent University, I am of the view that the first respondent University shall consider the request of the petitioner for granting approval positively so as to enable the petitioner to continue his course, further without any hurdle. It is seen that in pursuant to the interim order granted by this Court, the petitioner was also permitted to write the examination in the second year. In order to continue his studies in the third year, the results have to be published and the approval has also to be granted by the first respondent University.

6. Accordingly, this Writ Petition is allowed and the first respondent University is directed to grant approval for the petitioner to continue his studies in the third respondent college in B.B.A., course from second year onwards also by publishing the results of the second year examinations, which the petitioner has



written in pursuant to an interim order passed by this Court on 24.10.2016. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

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/True Copy/

Sub Assistant Registrar

skn

To

1.The Registrar,
Manonmaniam Sundaranar University,
Tirunelveli.

2.The Controller of Examination
Manonmaniam Sundaranar University,
Tirunelveli.

+1cc to Mr. D.VENKATESH Advocate Sr.No. 83116

JAM/03.01.2017/SKN/SAR 3/3P-5C

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