



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2016

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASANWrit Petition (MD) No.4173 of 2016

WEB COPY

J.Sherin Christelda

... Petitioner

Vs.

1.The Controller of Examination,
Dr.M.G.R.University,
69, Anna Salai,
Guindy, Chennai.

2.The Correspondent,
Sree Mookambika Institute of
Medical Sciences,
Kulasekaram,
Kanyakumari District.

... Respondents

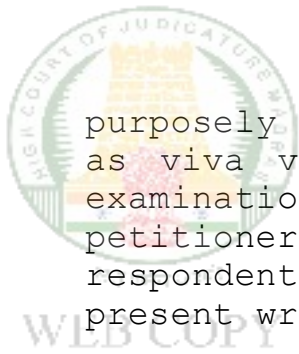
Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to provide the answer sheet of the petitioner for subject Pathology bearing subject code 524063 Pathology paper II bearing subject code 524064 conducted during August 2013 and February 2014 Pharmacology Paper I bearing subject code 524065 Pharmacology paper II 524066 conducted during August 2013 and Forensic Medicine bearing subject code 524067 conducted during August 2013 and February 2014 and to furnish the marks obtained by the petitioner in the viva practical and internal assessment marks in the aforesaid subjects by the considering the representation of the petitioner, dated 06.02.2016 within a time frame that may be fixed by this Court.

For Petitioner	: Mr.S.C.Herold Singh
For 1 st Respondent	: Mr.C.Karthick
For 2 nd Respondent	: Mr.K.Ragatheesh Kumar

ORDER

The prayer in the writ petition is to direct the respondent to provide answer sheet of the petitioner for the examination written by her during August 2013 and February 2014 and to furnish the marks obtained by the petitioner in the viva practical and internal assessment marks by considering the representation of the petitioner, dated 06.02.2016

2.According to the petitioner, the respondent college



purposely reduced the marks in the internal assessment as well as viva voce and therefore, she could not get through the examination conducted during August 2013. Hence, the petitioner has submitted a representation to the first respondent on 06.02.2016. Since no order has been passed, the present writ petition has been filed.

3.Learned counsel appearing for the respondents would submit that as per the guidelines, the petitioner has to apply for obtaining xerox copy of the answer scripts within the time stipulated by them. The petitioner has not done so. He would further contend that after three years, now she is seeking copies of answer sheets and marks obtained in the internal assessment as well as viva voce which cannot be granted since the answer sheets of the August 2013 and February 2014 have already been disposed by the University.

4.Learned counsel appearing for the petitioner would submit that even if the respondent is not able to produce the answer sheets, marks obtained by the petitioner in internal assessment and viva voce could be provided to the petitioner.

5.In reply, learned counsel for the respondents would submit that even that record is also not available, the University did not preserve any such records relating to the year 2013.

6.In the above circumstances, the relief sought for by the petitioner cannot be granted at this stage. Hence, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

Writ Petition (MD) No.4173 of 2016

30.11.2016

To

+1 cc to Mr.C.Karthik,Advocate, Sr.No:74487

+1cc to Mr.Abisha Isaac,Advocate Sr.No.74653

sms

rum/15.12.2016/2p/2c