

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.39517 of 2016

ORDER:

Heard Mr. G. Eswaraiah for petitioner.

2. Petitioner prays for Mandamus declaring the inaction of respondents in passing order on the representation filed by petitioner as illegal and unconstitutional.

3. Petitioner is pursuing B.Tech (EEE) – IV year in the third respondent college. The third respondent addressed letter dated 03.11.2016 to petitioner, which reads thus:

Date: 03.11.2016

To
Mr. VENKAT RAJU, V
Roll No.12R11A0249
Geethanajali College of Engineering and Technology

Dear Student,

Sub: You request for issue of duplicate hall ticket for attending University examination on 4th November 2016, and hall ticket for examinations commencing from 18th November 2016.

As per your letter dated 3rd November 2016, you were impersonated by another student of our college on 25th October 2016 at Holy Mary Institution of Technology and Science, Keesara (your examination centre) in the examination hall where III year II semester supplementary examinations in Disaster Management subject was being held. The impersonation was noticed by HITS college invigilators. The Principal of the college, we are given to understand, reported the matter to JNTUH.

As per the Malpractice rules of R13 Academic Regulations of JNTUH (vide rule no.3) a candidate who is impersonated will not be "allowed to appear for examinations of the remaining subjects that semester/year". Further, since JNTUH is already seized of the matter a final decision will be taken by it and our college has to abide by its decision. As we have not yet received any instructions from JNTUH, we express our inability to issue a duplicate hall ticket as requested by you.

With regard to the hall ticket for examinations commencing from November 18, 2016, we have not received the hall ticket from the university.

Yours sincerely

Sd/-

Principal

Geethanjali College of Engg. and Tech
Cheeryal (V), Keesara (M), R.R. Dist.

4. From the letter addressed by the third respondent, it is clear the enquiry against petitioner is taken up and the same is pending with respondents 2 and 3.

5. Counsel for petitioner tries to persuade this Court that the hall ticket of petitioner for the examination scheduled to be held from 18.11.2016 is already dispatched by second respondent and not delivering the hall ticket of petitioner is impermissible, illegal and arbitrary.

6. The submission of counsel for petitioner is noted only to be rejected. The third respondent, who is in know of the alleged malpractice of petitioner, has sent letter on 03.11.2016. Unless and until the enquiry pending against the petitioner is decided, this Court will not be justified in accepting the general prayer of petitioner and direct issue of hall ticket by third respondent. The Court is of the view that the issue is exclusively in the realm of academic standard and affairs and is not inclined to exercise the discretion and entertain the writ petition.

The writ petition fails and is dismissed. As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

S. V. BHATT, J

November 17, 2016/DSK