

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 20-04-2017
CORAM
THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA
W.P.No.5484 of 2017

T. Ragul Tamilselvan

.. Petitioner

Vs.

1. The Registrar,
Anna University,
Chennai - 600 025.

2. The Director of Technical Education,
Chennai - 600 025.

3. The Controller of Examinations,
Anna University,
Chennai - 600 025.

4. The Principal
Arulmigu Meenakshi Amman College of
Engineering
Vadamavandal, Namandi (Post),
Thiruvannamalai District - 604 410.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of mandamus directing the respondents herein to consider the representation of the petitioner dated 01.12.2016 submitted with regard to issuance of rectified marks sheet of the petitioner for the subject of Fundamental of Computing and Programming subject (code No. 185102/GE2112) which was successfully completed by the petitioner in the 1st semester course.

For Petitioner : Mr. M. Aswin
for Mr.G.Kaviyarasu

For Respondents-1& 3 : Mr. L.P. Shanmugasundaram

For Respondent- 2 : Mr. Anandhamurthy
Additional Government Pleader

For Respondent-4 : Served - No Appearance

O R D E R

The Writ Petition has been filed seeking a direction to the respondents to consider the representation dated 01.12.2016 with regard to issuance of rectified marks sheet of the petitioner

for the subject "Fundamentals of Computing and Programming" subject (Code No.185102/GE2112) which was successfully completed by the petitioner in the first Semester Course.

2. The petitioner is a student, who joined the fourth respondent-College to pursue his B.E (Electrical and Communication Engineering) course in 2010-2014 batch. In the first Semester, the Petitioner had written examination in the subject "Fundamentals of Computing and Programming Subject (Code -185102/GE2112) and claims to have successfully cleared the subject as per the results published on the website on 02.03.2011. When he received the first Semester Mark Sheet, it was mentioned as "un-cleared". When the petitioner enquired in this regard, he was informed that there was a mistake in the results published in the online publication and only the marks reflected in the mark sheet is correct. However, the petitioner has been making efforts to get the Mark Sheet corrected in line with the marks that were reflected in the on-line. It is also stated that he has completed his Course even in the year 2014. But, he could not get degree certificate on the ground of non-completion of one of the papers in the first Semester. Hence, the petitioner has now approached this Court to issue a Writ of Mandamus directing the respondents to consider his representation with regard to the issuance of rectified mark sheet.

3. After notice, the respondents 1 & 3 have filed their counter. It is stated that when the mark sheet was issued at the end of the first Semester, it was categorically mentioned that the petitioner had not cleared the subject. As a prudent student, he should have applied for the Supplementary Examination and cleared the same by now. Instead he had been following up with the College and university for correcting the mark sheet with pass mark.

4. In the earlier occasion, this court had directed the university/College to produce the answer sheet of the petitioner with respect to the paper Fundamentals of Computing and Programming. Accordingly, today, the Learned Counsel appearing for the Anna University represents that as per Anna University Resolution, the valued answer papers connected with the examinations of various courses both PG and UG conducted by the University could be preserved for a period of six months from the last date of the previous examinations. The accumulated valued answer papers after six months of the last date of examination will be treated as water paper and disposed of in public auction. Therefore, the same is not available.

5. It is also pointed out by the learned Counsel for the Anna University that whatever the results published by the University in the online, though all the efforts was taken to

give a precise data, a disclaimer has been made that neither the University nor the College is responsible for any inadvertent error that may have crept in the results being published on the net. These cannot be treated as original Mark Sheets. Original mark sheets have been issued by the Anna University separately. When such disclaimer is already given by the University and the mark sheet provided to the petitioner reflects the actual marks obtained by him, the petitioner would not have wasted his time by running from pillar to post to get a pass mark. If the petitioner could have taken up the examination in the following semester, by now he would have cleared the subject. Having failed to do so as stated above, the petitioner has made a goose chase. Despite knowing the fact that he has not cleared the subject, he could have endeavoured to clear it by writing examination again before completion of his course. When the mark sheet specifically mentioned that he should re-appear for the particular subject, the Student cannot take advantage of the results, which was published in the online, which is bound to have mistakes and claim a pass in the subjects.

6. In view of the above, this Court finds no merit in this case and the Writ Petition is dismissed. It is stated that Supplemental Examination is scheduled to take place in the months of April-May 2017. Having wasted two years, this Court is inclined to permit the petitioner to apply for the examination for the subject "Fundamentals of Computing and Programming". The petitioner is directed to apply on or before 28.04.2017 with appropriate examination fees through the university. On receipt of such application, the University is directed to permit the petitioner to sit for the examination for the subject Fundamentals Computing and Programming. No costs.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

srn

To

1. The Registrar,
Anna University,
Chennai - 600 025.
2. The Director of Technical Education,
Chennai - 600 025.

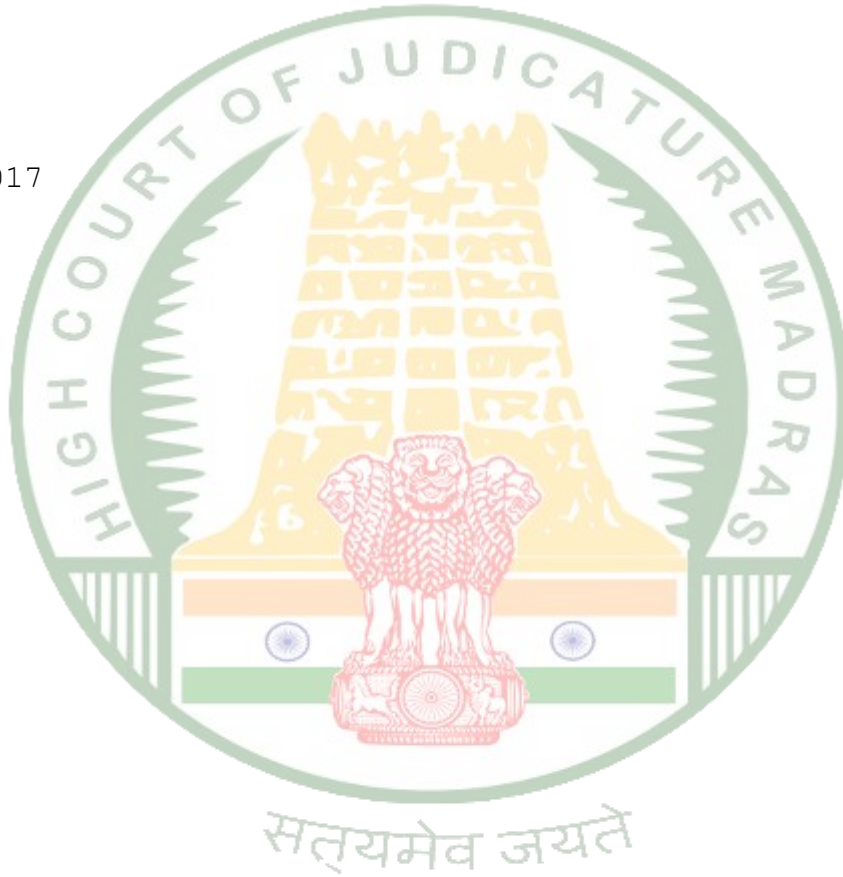
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3. The Controller of Examinations,
Anna University,
Chennai - 600 025.

+1 cc to M/s.G.Kaviyarasu Advocate sr 23970 dt 24/04/2017
+1 cc to Mr.Shanmugasundaram Advocate sr 24128
+1 cc to Government Pleader sr 24348

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