

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Eighth day of June Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE HULUVADI G. RAMESH

and

THE HON`BLE MR JUSTICE RMT. TEEKAA RAMAN

CMP No.8794 of 2017

IN WA.1624/2016

1 K.KISHOR	[PETITIONERS]
2 M.NAJBUDEEN	
3 K.NAVEENKUMAR	
4 C.AJITHA	
5 MOHAMED NASEEM.A	
6 SARAVANABABU.S	
7 PRAGADISH.U	
8 RAJUMENAN.R	
9 RAGITH.R.	
10 DILEEP.R	
11 KEERTHIVASAN.K	
12 BALAJI.B	
13 RAJKUMAR.D	
14 SILAMBARASAN.S	
15 ARUL.R.	
16 MANUNITHI SOZHAN.K	

17 CHANDRU.S
18 SENTHAMIZH SELVAN.S
19 DEVENDIRAN.P
20 GOBALAKRISHNAN.M
21 SIVAPRAKASH.G
22 SHAFIQ AHMEDH.M
23 SUBASH.S.
24 RAJENDIRAN.M
25 NIRMALRAJ.R
26 VELRAJAN.R
27 MANIKANDAN.G.
28 HAROUNE.R
29 PARASURAMAN.R.
30 GANESH.R.
31 ARUNKUMAR.R
32 HARIHARAN.B
33 MUTHUNAYAGAM.P
34 RAJESH.T

Vs

1 RVS COLLEGE OF ENGINEERING [RESPONDENTS]
& TECHNOLOGY, REP BY ITS ADMINISTRATIVE
OFFICER DHANAVATHYAMMAL, KALIKUPPAM,
THIRUVETTAKUDI, KARAIKAL, PUDUCHERY.

2 THE DEAN
AFFILIATAION WING, COLLEGE DEVELOPMENT
COUNCIL, PONDICHERRY UNIVERSITY, R.V.NAGAR,
KALAPET, PUDUCHERRY.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order of interim Direction directing the pondicherry University to

permit the Petitioners herein admitted during the academic year 2016-2017 in B.Tech course(Including lateral entry admission),in the Appellant Institution to Write the University Examination conducted during May-June 2017 onwards (in CMP No.8794 of 2017) pending disposal of the above WA.1624/2016

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.KANDHAN DURAISAMI, Advocate for the petitioner and of MR.AR.L.SUNDARESAN Senior Counsel FOR MR.R.KANNAN, Advocate on behalf of the R1 and of MR. STALIN ABIMANYU, Advocate on behalf of the 2nd respondent the court made the following order:-

Seeking a direction to the Pondicherry University to permit the petitioners herein admitted during the academic year 2016-2017 in B.Tech course (Including lateral entry admission), in the appellant Institution to write the University Examination conducted during May-June 2017 onwards pending disposal of the Writ Appeal, the petitioners are before this Court with this miscellaneous petition.

2.Heard the learned counsel for the petitioners; the learned counsel for the first respondent and the learned counsel for the second respondent.

3.The petitioners are studying B.Tech (Bachelor of Technology) Course in the Appellant college for the academic year 2016-2017. The appellant college was started in the year 2008 after getting approval from All India Council for Technical Education (AICTE) and affiliation from the Pondicherry University for the academic year 2008 onwards. The petitioners came to know that though the appellant Institution and the other Institutions affiliated to Pondicherry University have applied for extension of affiliation within the time, the Pondicherry University grants affiliation usually only after several months after the commencement of each academic year.

4.The petitioners further came to know that for the academic year 2016-2017, the appellant college informed the petitioners that there is a delay in getting affiliation certificate from the Pondicherry University and hence, the petitioners were not permitted to write the examination scheduled to be held from the month of May - June 2017. The petitioners, who are students, left with no other option have approached this Court, by filing this miscellaneous petition to permit them to write the University Examination scheduled to be held from the month of May - June 2017.

5.The learned counsel for the petitioners submitted that some of the petitioners have been allotted seats through Government quota. According to him, for the pending proceeding between the appellant college and AICTE, the welfare/future of the students may not be deprived off. Hence, according to the learned counsel, the

petitioners may be permitted to write their ensuing University Examinations scheduled to be held from the month of May - June 2017.

6. In view of the above facts and circumstances of the case, since, the interest/future of the petitioners/students involved in this case, without expressing any opinion regarding the merits of the case, the petitioners are permitted to write the University Examination scheduled to be held from the month of May - June 2017, pending disposal of the Writ Appeal.

7. The Civil Miscellaneous Petition is ordered accordingly.

-sd/-
08/06/2017

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE ADMINISTRATIVE OFFICER
RVS COLLEGE OF ENGINEERING & TECHNOLOGY,
DHANAVATHYAMMAL, KALIKUPPAM, THIRUVETTAKUDI,
KARAIKAL, PUDUCHERY.

2 THE DEAN
AFFILIATION WING, COLLEGE DEVELOPMENT
COUNCIL, PONDICHERRY UNIVERSITY, R.V.NAGAR,
KALAPET, PUDUCHERRY.

C.C. to M/S.MUTHUMANI DORAISAMI Advocate SR.NO. 7338

Order
in
CMP.8794/2017

in WA.1624/2016

Date :08/06/2017

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T.R (09/06/2017)