

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2017

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.15132 of 2017

B.Seenuvasan

... Petitioner

vs.

1. The University of Madras,
represented by its Registrar,
Chepauk,
Chennai - 600 005.
2. The Controller of Examinations,
University of Madras,
Chepauk,
Chennai - 600 005.
3. The Madras Christian College,
East Tambaram,
Chennai - 600 059
represented by its Principal. ... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the respondents to evaluate the petitioner's dissertation for M.Phil Physics (impact of electronic waste on environment) in the third respondent college by directing the respondent University to appoint an examiner and accordingly, confer the petitioner with the M.Phil programme within a time frame to be fixed by this Court.

For Petitioner : Mr.Mrs.Dakshayani Reddy
For Respondents : Mr.R.Gopinath,
Standing counsel for R1 and R2
Mr.Godson Swaminathan,
Standing counsel for R3

O R D E R

The petitioner seeks for a mandamus directing the respondent to evaluate the petitioner's dissertation for M.Phil. Physics

(impact of electronics waste on environment) in the 3rd respondent college by directing the respondent University to appoint an examiner and accordingly confer the petitioner with M.Phil. programme within a time frame fixed by this Court.

2. The case of the petitioner is as follows:

He is qualified with B.Sc.(Physics), M.Sc.(Physics) and B.Ed. The petitioner applied for undergoing M.Phil. programme in pursuant to the advertisement issued by the 1st and 2nd respondents. The petitioner was fully qualified to apply to the said programme in the 3rd respondent College. After he became successful in the written examination conducted by the 3rd respondent College, he got admitted into M.Phil. programme in the 3rd respondent College. The said programme consisted of two parts, namely, written examination as well as submission of Thesis. The petitioner wrote the written examination and he was declared as pass in August, 2010. On completion of the written examination, the petitioner is entitled to continue with dissertation programme. Accordingly, the 3rd respondent College assigned a Guide by name Ms.Caroline Michael to the petitioner. In the meanwhile, the petitioner was appointed as P.G. Assistant in the year 2009. But the petitioner was very keen in completing his M.Phil. Hence, he continued to do the research work for the purpose of submission of dissertation. The petitioner, thus, completed the dissertation and the Guide assigned to the petitioner was also satisfied with the same. She recommended the dissertation for evaluation by examiner to be appointed by the 1st and 2nd respondents as well as 3rd respondent College. The 3rd respondent however refused to forward the dissertation on the ground that the petitioner has taken a long time for the purpose of presentation of the dissertation.

3. Heard Mrs.Dakshayani Reddy, learned counsel appearing for the petitioner, Mr.R.Gopinath, learned standing counsel appearing for the 1st and 2nd respondents University and Mr.Godson Swaminathan, learned standing counsel appearing for the 3rd respondent College.

4. Learned counsel appearing for the petitioner submitted that once the 3rd respondent College permitted the petitioner to take part in the written examination in the M.Phil Degree examination and also declared the petitioner as pass in that examination, there cannot be any justification on the part of the 3rd respondent in not sending the dissertation to the 1st respondent University for further course of action.

5. On the other hand, learned counsel appearing for the 3rd respondent College Mr.Godson Swaminathan, though submitted that the petitioner has delayed the presentation of the dissertation, however, considering the fact that the 3rd respondent College has

permitted to write the written examination and declared him also as pass, fairly submitted that the 3rd respondent shall forward the dissertation papers of the petitioner to the 1st respondent University within a time frame fixed by this Court.

6. Learned counsel appearing for the respondent University submitted that once the dissertation are presented by the 3rd respondent College, the same will be considered and further course of action will be taken by the respondent University in respect of the petitioner's M.Phil. Programme.

7. Considering the above stated facts and circumstances and considering the fair submission made by the learned counsel appearing for the 3rd respondent College that the dissertation papers of the petitioner will be forwarded to the respondent University within a short time, this Court is of the view that there cannot be any further grievance for the petitioner in view of the above stand taken by the 3rd respondent before this Court.

8. Accordingly, this Writ Petition is disposed of by directing the 3rd respondent College to forward the dissertation papers furnished by the petitioner to the 1st respondent University in accordance with the procedure within a period of two weeks from the date of receipt of a copy of this order. On receipt of such dissertation, the 1st respondent University shall proceed with in accordance with the regulation in respect of the petitioner M.Phil. Programme. No costs.

Sd/-
Asst.Registrar (CCC)

/true copy/

सत्यमेव जयते Sub Asst. Registrar

vsi

To

1. The Registrar,
The University of Madras,
Chepauk,
Chennai - 600 005.

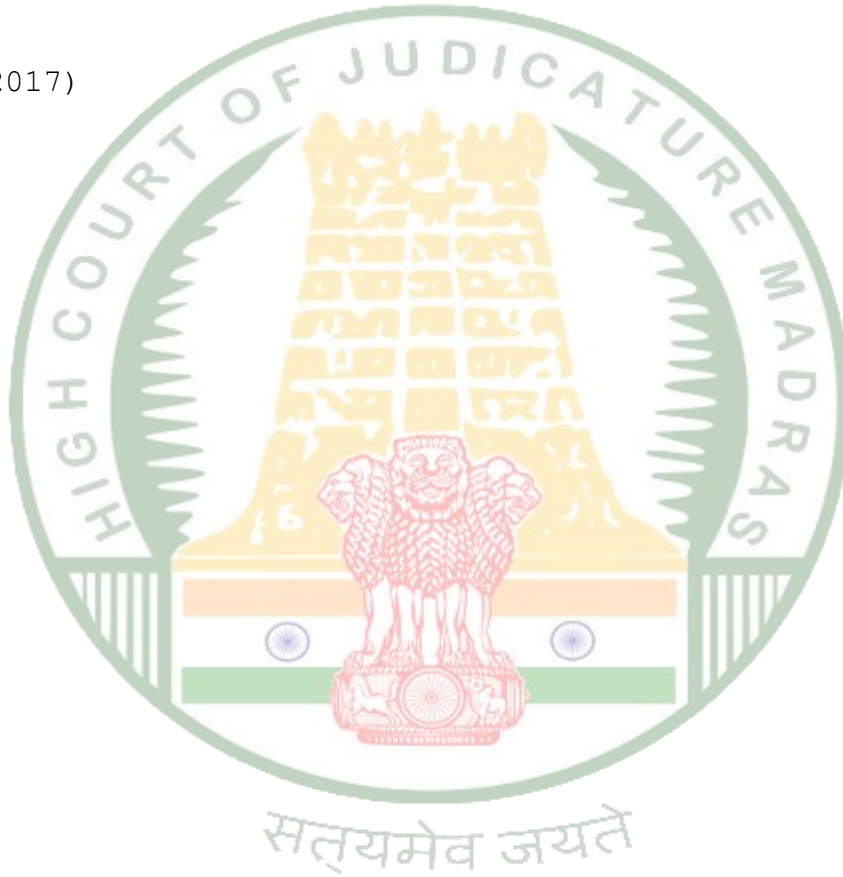
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2. The Controller of Examinations,
University of Madras,
Chepauk,
Chennai - 600 005.

+1cc to M/S. Isaac Chambers, Advocate Sr. 53246
+1cc to Mr.R.Gopinath, Advocate Sr. 53522
+1cc to Mr. Dakshayani Reddy, Advocate SR.53601

W.P.No.15132 of 2017

LRS (CO)
VR(08/08/2017)



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