

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2017

CORAM

THE HONOURABLE MR.JUSTICE N. KIRUBAKARAN

W.P.No.26816 of 2017
and
W.M.P.No.28535 of 2017

M.Valarmathi ... Petitioner

Vs.

1.The Registrar
Periyar University
Periyar Palkalai Nagar
Salem - 636 011.

2.The Controller of Examination
Periyar University, Salem - 11. ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to permit the petitioner to write the exam, on 16.10.2017 onwards, II year MA, 3rd Semester Journalism and Mass communication in Periyar University, Salem.

For Petitioner :Mr.R.Sanakarasubbu

For Respondents:Mr.P.Godson Swaminathan [For R1 & R2]

O R D E R

The petitioner completed B.Sc. Agriculture from Annamalai University and pursuing M.A. Journalism and Mass Communication in Periyar University and at present, she is in the II year.

2.The petitioner was arrested on 12.07.2017 and a preventive detention order was clamped. Subsequently, the petitioner's detention order was suspended by this Court in H.C.P. No.1418 of 2017 on 05.09.2017. The suspension order was also subsequently revoked on 26.09.2017. Due to the absence for the petitioner for the period from 12.07.2017 to 26.09.2017, the respondents did not allow the petitioner to pay the exam fee for the exams to be held on 16.10.2017 onwards. Therefore, the petitioner gave a representation in this regard on 10.10.2017. Since no order has been passed, the petitioner has come before this Court, seeking a writ of Mandamus, directing the respondents to permit the petitioner to write the examination to

be held on 16.10.2017.

3.This Court had directed the respondent University to permit the student to write the 3rd Semester examination during which period she was detained under the Preventive Detention Order. The petitioner had also written the examination and she is undergoing IV Semester. Though the petitioner was permitted to write the III Semester theory papers, the petitioner could not write the practical papers namely, Internship Training, Television Production, Documentary/Short Film Production and the attendance was also a problem.

4.Therefore, this Court requested Mr.P.Godson Swaminath, learned counsel to get instructions in this regard as the petitioner did not deliberately abstain from the College and for reasons beyond her control, she was unable to attend the classes.

5.On instructions, Mr.P.Godson Swaminath, learned counsel would submit that the petitioner is now undergoing the 4th semester and she is required to undergo the practical training which is meant for 3rd semester simultaneously. If the petitioner undergoes training simultaneously she will be completing the course at the end of the 4th semester period. In view of that the petitioner needs to undergo the practical training meant for 3rd and for 4th semesters and the results will be published at the end of the 4th semester This order has been passed due to the extraordinary circumstances faced by the petitioner in undergoing the course and that should not be treated as a precedent.

6.This Court appreciates the steps taken by Mr. P.Godson Saminath in convincing the University to get favourable instructions which is useful for the petitioner to complete the course.

7.With the above, the writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

maya

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1.The Registrar
Periyar University
Periyar Palkalai Nagar
Salem - 636 011.

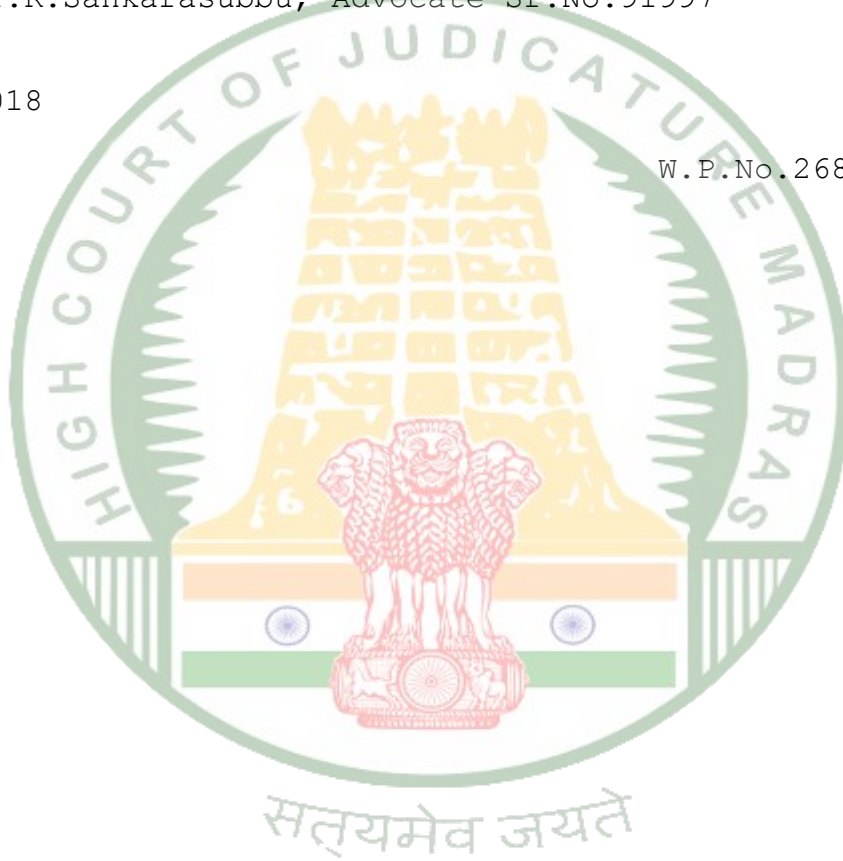
2.The Controller of Examination
Periyar University, Salem - 11.

+lcc to Mr.P.Godson Swaminath, Advocate SR.No.92332

+lcc to Mr.R.Sankarasubbu, Advocate Sr.No.91997

KJI(CO)
sm:18.1.2018

W.P.No.26816 of 2017



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