

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.01.2017

CORAM:

THE HON'BLE MR. JUSTICE B.RAJENDRAN

W.P.No.42724 of 2016

R.P.Selvaganapathy

.. Petitioner

Vs

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

2.The Controller of Examinations,  
Anna University,  
Chennai 600 025.

3.The Principal  
Angel College of Engineering and  
Technology, Angel Nagar,  
P.K.Palayam,  
Dharmapuram Main Road  
Tirupur - 641 665.

.. Respondents

The writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to issue Hall Ticket to the petitioner and enable him to write 5th Semester Examination for B.E. Mechanical Engineering at Angel College of Engineering and Technology, Tirupur, for the year 2016.

For Petitioner : Mr.S.Senthilnathan

For Respondents : Mr.L.P.Shanmugasundaram,  
Spl. G.P.

ORDER

This writ petition has been filed seeking a direction to the respondents to issue Hall Ticket to the petitioner and enable him to write 5th Semester Examination for B.E. Mechanical Engineering at Angel College of Engineering and Technology, Tirupur, for the academic year 2016.

2. It is the case of the petitioner that he is pursuing his studies with the third respondent college and he is sportsman,

while playing Kabbadi his right had got fractured and hence, the petitioner was not able to attend the college and that his attendance was only 72.34% at the time of commencement of 5<sup>th</sup> semester examinations. As per the University regulations, the requisite attendance is 75% and hence, the third respondent college has not issued the hall ticket for 5<sup>th</sup> semester examinations to him. Though the petitioner produced genuine medical certificate, the college had not recommended his case to the Controller of Examinations. Hence, the present writ petition has been filed.

3. Heard the learned counsel on either side and perused the materials available records.

4. Admittedly, the petitioner was medically ill during the relevant point of time and there is materials to establish that his case can be considered on humanitarian ground. However, the lack of 10% attendance and the subsequent recommendation for the same has to go only through the third respondent college. Therefore, I hereby direct the petitioner produce the sufficient available correct additional medical records to establish the factual aspects of his case for considering him to write the 5<sup>th</sup> semester examination to the third respondent college.

5. As and when such application is made, the third respondent college after satisfying the records produced before it, shall forward the same to the University. The University in turn shall consider the case of the petitioner sympathetically and pass appropriate orders on merits and in accordance with law. However, it is further made clear that the petitioner cannot claim any right on production of the additional medical records in view of the extra ordinary circumstances as envisaged in this order and it is for the University to pass appropriate orders taking into consideration the relevant factual matrix of the case. This writ petition is disposed of with the above observation. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To,

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

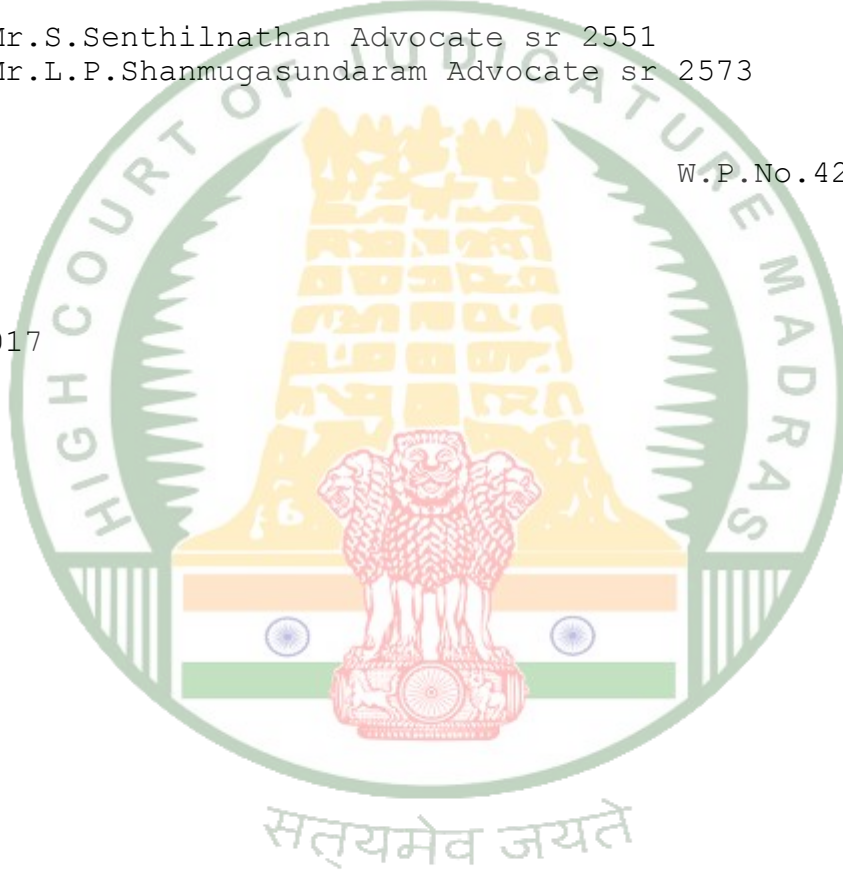
2.The Controller of Examinations,  
Anna University,  
Chennai 600 025.

+1 cc to Mr.S.Senthilnathan Advocate sr 2551

+1 cc to Mr.L.P.Shanmugasundaram Advocate sr 2573

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