

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.3305 OF 2011

ORDER:

Neither is Sri Mohd. Vasi Ahmed, Learned Counsel for the petitioners present, nor is there any representation on his behalf. The relief sought for in this Writ Petition is to declare the action of respondents 1 and 2, in not permitting the petitioners herein to attend and prosecute their studies for the IVth year 2nd Semester classes, which commenced on 17.01.2011, as arbitrary and illegal.

The petitioners' case, in short, is that the III year 2nd Semester results were announced on 02.09.2010, and they were declared to have been detained; they applied for revaluation; the last date for payment of examination fee for the IVth Year 1st Semester was on 26.10.2010; since their marks memo had been sent for revaluation, they could not pay the requisite fee; meanwhile the revaluation results were declared on 22.11.2010, by which date they were declared promoted; in the meanwhile, the supplementary examination, for the backlog subjects of three years, were held from 29.11.2010 till 22.01.2011; and the IV Year 2nd Semester classes commenced from 17.01.2011.

The petitioners further contend that they were awaiting revaluation results of the IIIrd Year 2nd Semester examination declared on 22.11.2010, and could not appear in the examination; in the meanwhile, the IVth Year 1st Semester classes commenced on 17.01.2011; and, when they appeared, the college authorities refused to permit them to attend classes on the ground that they had failed to attend the IVth Year 1st Semester examination. From the averments in

the writ affidavit, it is clear that the petitioners were not permitted to attend the IVth Year 2nd Semester classes as they had not appeared in the IVth Year 1st Semester examinations.

Though notice before admission was ordered on 23.02.2011, no interim order was passed. More than six years have elapsed since the Writ Petition was filed. The petitioners must have prosecuted the IVth Year course thereafter, and completed their studies. As the petitioners seek admission into the 2nd Semester of the IVth Year course, which came to an end in mid-2011 more than six years ago, it is evident that the cause in the Writ Petition does not survive necessitating any further adjudication by this Court. The Writ Petition fails and is, accordingly, dismissed. The miscellaneous petitions pending, if any, shall stand closed. No costs.



RAMESH RANGANATHAN, ACJ

Date: 08.12.2017.

MRKR