

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.4163 of 2018

and

W.M.P.Nos.5113 and 5114 of 2018

A.Ramya

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Education Department,
Fort St.George, Chennai-600 009.
2. The Registrar,
Tamil Nadu Teachers Education University,
Gangaianman Koil Street,
Karapakkam, Chennai-600 097.
3. The Controller of Examinations,
Tamil Nadu Teachers Education University,
Gangaianman Koil Street,
Karapakkam, Chennai-600 097.
4. The Principal,
Nadar Mahajana Sangam,
Kamaraj College of Education,
Pazhavilai-629 501,
Kanyakumari District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records in respect of the impugned order passed by the second respondent, vide reference Official Communication No.TNTEU/EL/10917/2017/989, dated 16.10.2017 and consequently the impugned order passed by the fourth respondent, vide letter No.TNTEU/ELIG/2017/02 to the petitioner on 23.10.2017 and quash the same and direct the respondents to allow the petitioner to write exams for the academic year 2017-2018 for B.Ed. course.

For petitioner : Mr.P.Sam Japa Singh

For respondents : Mr.A.Raja Perumal, Addl.G.P. for R-1

Mrs.P.Rajalakshmi for RR-2 and 3

Mr.P.Arul Ananth for R-4

ORDER

The petitioner has come forward with the above Writ Petition praying for issuance of a Writ of Certiorarified Mandamus to call for the records in respect of the impugned order passed by the second respondent, vide reference Official Communication No.TNTEU/EL/10917/2017/989, dated 16.10.2017 and consequently the impugned order passed by the fourth respondent, vide letter No.TNTEU/ELIG/2017/02 to the petitioner on 23.10.2017 and quash the same and direct the respondents to allow the petitioner to write exams for the academic year 2017-2018 for B.Ed. course.

2. The sum and substance of the issue on hand is that the petitioner received the Hall Ticket after the examination, even though the petitioner was present in the examination hall and for want of Hall Ticket, she was not allowed to write the examination.

3. The College has filed counter affidavit stating that the petitioner has paid necessary fees and she has no dues and she has got sufficient attendance. Learned Additional Government Pleader appearing for the first respondent submitted that the examination was scheduled on 28.05.2018 and that the Hall Ticket was sent on 26.05.2018. Due to the Tuticorin Sterlite Company incident, all the Internet Portals could not be opened in the web-site and that the Hall Ticket could not reach the petitioner. Again, it was sent on 28.05.2018, i.e. on the date of examination. However, it has reached the petitioner after the examination was over.

4. Taking note of the aforesaid fact that the petitioner is not fault and that the Hall Ticket has reached after the examination is over, the petitioner shall be permitted to take up the examination on the subject which she has not written on account of the non-holding of the Hall Ticket, which is not due to her fault and fresh examination shall be conducted on 30.07.2018 in respect of the subject not written on 28.05.2018, and it shall be conducted in the same Centre where the examination was held on 28.05.2018 and within 72 hours prior to the examination, the Hall Ticket shall be furnished to the petitioner and that the examination that is going to be conducted, cannot be treated as Supplementary examination, but this re-exam is not at the fault of the petitioner.

5. With the above observations/direction, the Writ Petition is disposed of. No costs. Consequently, W.M.Ps. are also closed.

Sd/-

Assistant Registrar(CS II)

//True copy//

Sub Assistant Registrar

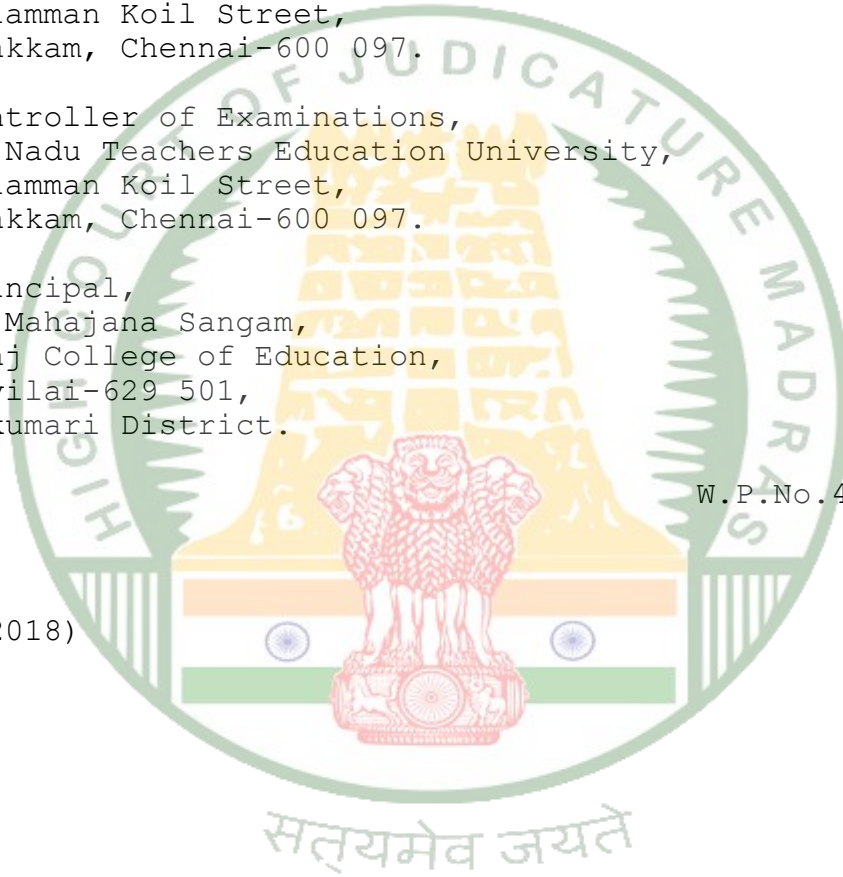
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To

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SPD(CO)
GN(19/07/2018)



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