

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2018

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.35157 of 2013

and

M.P.No.1 of 2013

Miranda Tomkinson

.. Petitioner

Vs.

1.The Chairman,
University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi - 110 002.

2.Chief Commissioner,
for Persons with Disabilities,
Ministry of Social Justice & Empowerment,
Department of Disability Affairs,
Sarojini House, 6, Bhagwan Dass Road,
New Delhi - 110 001.

3.Vice Chancellor,
University of Madras,
Chennai 600 005.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to provide transcribed Braille Questionnaire for the UGC - NET examination along with a scribe and to provide extra time to assist the petitioner and to declare the results of the examination.

For Petitioner : Mr.Giridhar and Sai

For R1 : M/s.P.R.Gopinathan

For R2 : M/s.G.Baskaran,
Central Government Standing Counsel

For R3 : M/s.Stalin Abhimanyu

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O R D E R

This writ petition has been filed to direct the 1st respondent to provide transcribed Braille Questionnaire for the UGC - NET examination along with a scribe and to provide extra time to assist the petitioner and to declare the results of the examination.

2. On 27.12.2013, when the writ petition came up for admission, this Court, while admitting the same, considering the plight of the petitioner, directed the first respondent to furnish Braille questionnaire to him and similarly placed persons and fulfill the other conditions mentioned in the Office Memorandum dated 26.02.2013 to enable the petitioner and others to take part in the examination scheduled to be held on 29.12.2013. This Court further withhold the result of the said examination pending disposal of this writ petition.

3. Today, when the matter is taken up for consideration, the learned counsel appearing for the first respondent, pointing out the averments made in the counter affidavit dated 28.08.2014 filed by the first respondent, submits that the UGC-NET examination was held on 29.12.2013, however, the result of the same is yet to be published, due to the interim order of this Court dated 27.12.2013.

4. In the counter affidavit filed by the first respondent, it has been stated as follows:

"8. It is further most respectfully submitted that this respondent has provided the question test Booklets for Paper-I, Paper-II and Paper-III in Braille to Miranda Tomkinson, the petitioner in the above writ petition, based on the letter/Case No.646/1040/2013 dated 23.12.2013 received from Deputy Chief Commissioner, Court of Chief Commissioner for persons with Disabilities, Ministry of Social Justice and Empowerment, Department of Disability Affairs, Sarojini House, 6, Bhagwan Dass Road, New Delhi - 110 001."

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10. It is further respectfully submitted that the orders of this Hon'ble Court dated 27.12.2013 were already complied with, as the Test Booklets in Braille had already been

provided to Miranda Tomkinson on the day of examination as mentioned above."

5.In the light of the above extract, this Court is of the opinion that since the relief sought for herein has already been considered by the first respondent, it is unnecessary to pursue this writ petition. Accordingly, the interim order already granted by this Court on 27.12.2013 stands vacated and the respondents are directed to release the result for the examination held on 29.12.2013 forthwith.

6.This writ petition is disposed of as indicated above. No costs. Consequently, the connected Miscellaneous Petition is closed.

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

- 1.The Chairman, University Grants Commission,
Bahadur Shah Zafar Marg, New Delhi - 110 002.
 - 2.Chief Commissioner, for Persons with Disabilities,
Ministry of Social Justice & Empowerment,
Department of Disability Affairs,
Sarojini House, 6, Bhagwan Dass Road,
New Delhi - 110 001.
 - 3.Vice Chancellor, University of Madras, Chennai 600 005.
- + 1 cc to M/s.Giridhar & Sai, Advocate Sr.No. 15564
+ 1 cc to G.Baskaran, Advocate Sr.No.15317
+ 1 cc to Mr.Stalin Abimanyu, Advocate Sr.No.15813

W.P.No.35157 of 2013

and

M.P.No.1 of 2013

VS 05/04/2018

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