

**HON'BLE THE CHIEF JUSTICE
SRI THOTTATHIL B. RADHAKRISHNAN**

AND

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.17764 OF 2018

ORDER : (ORAL) (Per Hon'ble The Chief Justice Sri Thottathil B. Radhakrishnan)

We have heard learned counsel for the writ petitioner and learned Standing Counsel for respondent No.2 - School of Planning and Architecture, Vijayawada.

2. Shorn of all the details and intricacies on the basis of facts, we see that there is a larger human problem which the petitioner faces. The pleadings and the materials indicate that even while being a student, the petitioner faced severe health issues and situation. That resulted loss of a year or more of his academic career. Initially he had suffered deficiencies of certain elements which are required in the physiological aspects of a human being. That led to him facing challenges as regards his mental health as well. He underwent requisite treatment and thereafter continued with his education. Later, to his misfortune, he also had to undergo surgical procedures for certain issues relating to his alimentary canal. On the whole, we are satisfied that this is an abundantly fit case where the ultimate repository of the power of academic management of the School of Planning and Architecture, Vijayawada viz., Senate decides on the request of the petitioner for favourable consideration of his situation and thereby consider granting him an opportunity to tide over the present situation and continue with

his education and complete the course. We are sure that the said institution, with the able assistance of their learned Standing Counsel, will sympathetically consider the representation that the writ petitioner will make. We are assured by the learned Standing Counsel that such representation will gain due attention of the appropriate authority.

3. Therefore, leaving open all the issues for the present, we close this writ petition directing that the Academic Senate of the School of Planning and Architecture, Vijayawada, will consider any representation that the petitioner would make within three (3) weeks from today and take a decision thereon including as regards any conflict between the rules, so that meaningful relief can be given to the petitioner. If found necessary by the Senate, the petitioner could also be afforded an opportunity of personal hearing. We clarify that if the Senate gives the petitioner, a one time opportunity, the petitioner ought to utilize it rather than seeking further judicial remedies.

4. The Writ Petition is accordingly closed. No order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the writ petition stand closed.

THOTTATHIL B. RADHAKRISHNAN, CJ

S.V. BHATT, J

December 20, 2018.
PV