

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE T. RAJA

Writ Petition No.19643 of 2013 and
M.P.Nos.1 to 3 of 2013

Nabeel Nazar

... Petitioner

Vs

1. The Registrar,
Pondicherry University,
Academic Section II,
Dr.Ambedkar Administration Block,
Pondicherry University Campus,
Kalapet, Pondicherry-605 014.
2. The Controller of Examination,
Pondicherry University,
Kalapet, Pondicherry-605 014.
3. The Principal,
Rajiv Gandhi College of Engineering &
Technology, Pondy-Cuddalore Main Road,
Kirumampakkam,
Pondicherry-607 402. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the 3rd respondent in his unnumbered order dated 04.07.2013 and quash the same as highly illegal and without any authority and consequently, direct the respondents 1 to 3 to permit the petitioner to attend the 4th year (VII & VIII Semester) B.Tech. Bio-Medical Engineering (BME) 2009-2013 batch classes in the 3rd respondent's institution.

For Petitioner : No appearance

For Respondents : Mr.A.V.Bharathi,
1 and 2 Standing Counsel

For 3rd respondent: Mr.Kandhan Doraisami

O R D E R

The Writ Petition has been filed challenging the impugned order of the 3rd respondent in his unnumbered order dated 04.07.2013 and quash the same as highly illegal and without any authority.

2. When the matter is called today, there is no representation on behalf of the petitioner.

3. Mrs.A.V.Bharathi, learned Standing Counsel appearing for the respondents 1 and 2 stated that the prayer in the writ petition has become infructuous for the reason that the petitioner has not even acquired the requisite attendance of 75% in the VI Semester.

4. At this stage, Mr.Kandhan Doraisami, learned Counsel for the 3rd respondent clarified that since the petitioner has not acquired 75% attendance in the VI Semester which is a pre-condition to write the VII Semester Examinations, the impugned order has been passed. The learned Counsel further stated that the petitioner has not even pursued his studies from 2013 till May, 2016.

5. In any event, this Court is of the view that due to the long passage of time, the prayer in the Writ Petition has become infructuous. That apart, the Writ Petition is liable to be dismissed on the ground of non-prosecution by the petitioner. Therefore, nothing survives in the Writ Petition.

6. In the result, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
सत्यमेव जयते

Assistant Registrar(CCC)

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Sub Assistant Registrar

To

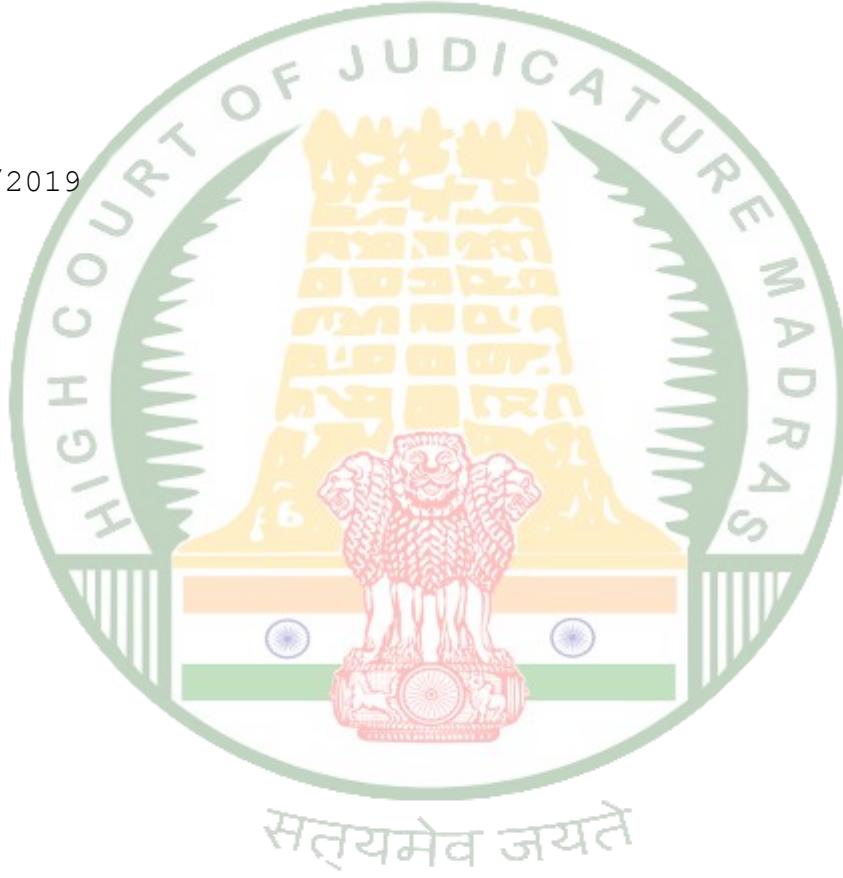
1. The Registrar,
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2. The Controller of Examination,
Pondicherry University,
Kalapet, Pondicherry-605 014.

+1cc to M/s.A.V.Bharathi, Advocate Sr.88409
+1cc to M/s.Muthumani Doraisami, Advocate Sr.88965

W.P.No.19643/2013

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srg 03/12/2019



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