



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Friday, the Twenty Second day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

WMP (MD) No.3397 of 2019
IN
WP (MD) No.4287 of 2019

SOBIN MATHEW

... PETITIONER/ PETITIONER

Vs

1.BHARATHIDASAN UNIVERSITY,
REP.BY ITS REGISTRAR,
PALKALAI PERUR, TIRUCHIRAPPALLI-24

2.THE CONTROLLER OF EXAMINATION,
BHARATHIDASAN UNIVERSITY,
PALKALAI PERUR,
TIRUCHIRAPPALLI-24

3.THE CONTROLLER OF EXAMINATION,
NATIONAL COLLEGE (AUTONOMOUS),
TIRUCHIRAPPALLI-620 001.

4.THE PRINCIPAL,
NATIONAL COLLEGE (AUTONOMOUS),
TIRUCHIRAPPALLI-620 001.

... RESPONDENTS/ RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an order of interim direction directing to permit the petitioner to write examination in the course of M.Phil in the respondents 2 & 3 college which commences from 25/02/2019.

Prayer in WP (MD) . 4287/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents to permit the petitioner to write examination in the course of M.Phil in the respondents 2 & 3 college which commences from 25/02/2019 and to complete the course.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.T.ANTONY ARUL RAJ, Advocate for the petitioner and of Mr.V.R.SHANMUGANATHAN, Advocate for R1 and R2, the the court made the following order:-



Notice of motion returnable by 21.03.2019. Private notice is also permitted. Mr.V.R.Shanmuganathan, learned standing counsel takes notice for R1 and R2.

2.The learned counsel appearing for the writ petitioner states that after completing his M.A., and M.Ed., he applied for studying M.Phil course in National College, Trichy. It is a Autonomous Institution affiliated to the Bharathidasan University. He joined the college in August 2018 and complied with all formalities. The petitioner also states that he attended all the classes and he is having requisite attendance. But he has not been issued with the Hall Ticket for writing the examinations that commence from 25.02.2019.

3.If interim relief is declined, the main writ petition itself will become infructuous. Therefore, this Court is constrained to issue interim direction as sought for. However, the petitioner undertakes that he will not be claim any equity based on this order and that his rights would abide by the outcome of the main writ petition. It is made clear that the results will not be declared without further orders from this Court. W.M.P (MD)No.3397 of 2019 is allowed accordingly.

4.The learned Standing Counsel appearing for the University states that the National College, Trichy is a Autonomous Institution and that therefore, the direction is to be confined only against the College. Therefore, Interim direction is issued against the respondents 3 and 4 alone.

sd/-
22/02/2019

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE REGISTRAR, BHARATHIDASAN UNIVERSITY,
PALKALAIERUR, TIRUCHIRAPPALLI-24

2.THE CONTROLLER OF EXAMINATION,
BHARATHIDASAN UNIVERSITY,
PALKALAIERUR, TIRUCHIRAPPALLI-24

3.THE CONTROLLER OF EXAMINATION,
NATIONAL COLLEGE (AUTONOMOUS),
TIRUCHIRAPPALLI-620 001.

4.THE PRINCIPAL,
NATIONAL COLLEGE (AUTONOMOUS),
TIRUCHIRAPPALLI-620 001.



+1. C.C. to Mr.T.ANTONY ARUL RAJ Advocate SR.No.3630

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ORDER IN
WMP(MD) No.3397 of 2019 IN
WP(MD) No.4287 of 2019
Date :22/02/2019

TK/PN/SAR.4/22.02.2019/3P/6C