



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No.11111 2019

S.Gowtham

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by the Principal Secretary,
Department of Higher Education,
Secretariat, Chennai.

2.The Registrar, Anna University,
Guindy, Chennai-600 005.

3.The Commissioner of Technical Education,
Office of Commissioner of Technical Education,
Chennai-25.

4.The Principal,
Christian College of Engineering and Technology,
Oddanchatram, Dindigul District.

5.The Principal,
Sri Subramanya College of Engineering and Technology,
Palani,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents 1 to 3 to permit the petitioner to write the II to IV semester including internal examination studied at fourth respondent college and permit him to write the semester examinations in the fifth respondent college or any other college in Dindigul District.

For Petitioner

:Mr.K.Muraleedharan

For Respondents

:Mr.K.Govindarajan

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned standing counsel appearing for the second respondent.
<https://hcservices.ecourts.gov.in/hcservices/>

2.The writ petitioner joined B.E course at fourth respondent



College in the academic year 2010-11. It appears that the writ petitioner was victimized at the hands of the management of the fourth respondent College. Therefore, the petitioner had filed atleast two writ petitions before this Court. Following the orders passed by this Court, the petitioner got transferred to the fifth respondent College. But on account of the poor internal marks awarded by the fourth respondent for the semester in question, the petitioner could not clear the second semester to fourth semester. The petitioner therefore wants this Court to direct the Anna University to permit him write the semester examinations in the fifth respondent college or any other institution.

3. When the matter was taken up for hearing, the learned standing counsel appearing for the Anna University brought to my attention that as per the clause (5) of the UG (B.E./B.Tech.) Regulations, 2008, a student is ordinarily expected to complete the B.E./B.Tech program in 8 semesters (four academic years) but in any case not more than 14 semesters for HSC candidates and not more than 12 semesters for Lateral Entry Diploma/B.Sc. Candidates. The petitioner is a HSC candidate. Admittedly, he joined the course in the year 2010. We are now in 2019. Thus, more than seven years have gone by. As per the norms, the course will have to be completed within seven years.

4. Since the prescribed outer time limit already gone, this Court is not in a position to grant any relief to the petitioner. The writ petition is dismissed. However, the dismissal of this writ petition will not come in the way of the University to pass special order in the petitioner's case to grant him relief. This Court makes this observation because of the communication dated 21.12.2017 issued by the Commissioner of Technical Education to the Registrar of Anna University. Therefore, it is for the second respondent to take a call in the matter. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

TO

1. The Principal Secretary to
The Government of Tamil Nadu,
Represented by the Principal Secretary,
Department of Higher Education,
Secretariat, Chennai.

<https://hcservices.ecourts.gov.in/hcservices/>
2. The Registrar, Anna University,
Guindy, Chennai-600 005.



3.The Commissioner of Technical Education,
Office of Commissioner of Technical Education,
Chennai-25.

+1cc to Mr.K.GOVINDARAJAN, Advocate, SR.No. 64519

+1cc to Mr.K.Muraleedharan, Advocate, SR.No.64580

W.P. (MD) No.11111 2019
30.04.2019

rmi

KK/SAR/03.05.2019/ 3P- 6C