



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.5314 of 2019

A.Anandha Prakash

... Petitioner

Vs

1. The Commissioner of Technical Education,
Examination Department,
Directorate of Technical Education,
Chennai-25.

2. The Principal,
Lakshmi Sundaram Polytechnic College,
Melakkal.

3. The State of Tamil Nadu,
rep., by its Secretary to Government,
Higher Education Department,
Chennai-9.

4. The Deputy Secretary to Government,
Higher Education Department,
Chennai-9.

... Respondents

(R3 and R4 are impleaded vide Court order
dated 25.03.2019 in W.M.P(MD).No.4513 of 2019)

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents herein to accept the exam fees and permit to write the exams, to be conducted in April,2019 by this Court.

For Petitioner : Mr.K.S.Duraipandian

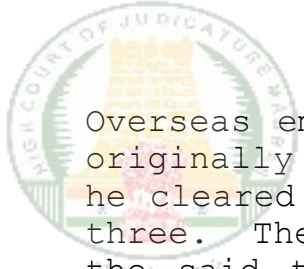
For Respondents : Mr.K.Mu.Muthu
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

<https://hcservices.ecourts.gov.in/hcservices/>

2. The petitioner joined Diploma in Medical Engineering in the year 2011. He completed his course in the year 2014. He left for



Overseas employment and returned in the year 2017. The petitioner originally had five subjects to be cleared. Out of five subjects, he cleared two and he is having arrears in respect of the remaining three. The petitioner wanted to write the Examination in respect of the said three subjects. But, the first respondent informed the Court that he was already given two chances and that therefore, unless the Government gives special permission, he cannot be allowed to write the supplementary Examinations. This communication dated 25.01.2019 is under challenge in this Writ Petition.

3. I am of the view that the order impugned in this writ petition cannot be faulted. The Exams commence tomorrow (ie., 29.03.2019). Therefore, the petitioner can only appear in the next Examination and that too, if the Government gives special permission.

4. Therefore, even while dismissing this Writ Petition, this Court directs the third respondent to consider the petitioner's representation dated 17.12.2018 and pass appropriate orders. Such an order will be passed by the third respondent within a period of three months from the date of receipt of a copy of this order.

5. With this direction, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Commissioner of Technical Education,
Examination Department,
Directorate of Technical Education,
Chennai-25.
2. The Principal,
Lakshmi Sundaram Polytechnic College,
Melakkal.
3. The Secretary,
State of Tamil Nadu,
Higher Education Department,
Chennai-9.



4. The Deputy Secretary to Government,
Higher Education Department,
Chennai-9.

+1 CC to Special Government Pleader (SR-57926[F] dated 29/03/2019)

+1 CC to Mr.K.S.DURAI PANDIAN, Advocate (SR-57809[F] dated
29/03/2019)

W.P. (MD) No. 5314 of 2019
28.03.2019

rmk

AE (27.04.2019) 3P 7C