



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P(MD) No.22124 of 2017

and

W.M.P. (MD) Nos.18423 of 2017 and
5593 of 2018

P.Mohandass

... Petitioner

vs

1.The Mother Terasa Women's University,
represented by its Registrar,
Kodaikanal, Dindigul District.

2.The Member Secretary,
Mother Terasa Women's University,
Kodaikanal, Dindigul District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the second respondent in his proceedings Nil dated 14.11.2017 and quash the same and further direct the second respondent to award 14 marks more for the petitioner and give TNSET Certificate for him.

For Petitioner : Mr.A.C.Asaithambi

For Respondents : Mr.E.V.N.Siva
for R.1
: No Appearance
for R.2

ORDER

The Writ Petition is filed for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the second respondent in his proceedings Nil dated 14.11.2017 and quash the same and further direct the second respondent to award 14 marks more for the petitioner and give TNSET Certificate for him.

2. Heard the learned Counsel appearing for the petitioner and the learned Counsel appearing for the first respondent and perused the materials available on record.

3. The petitioner has made a representation dated 04.09.2017 to the second respondent questioning the proceedings of the second respondent, dated 14.11.2017 with a consequential prayer to award 14 marks to the petitioner. Since the same has not been considered so far, the present Writ Petition has been filed by the petitioner.

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

4. The first respondent filed a counter affidavit wherein at

paragraph No.13, it is stated as follows:

"It is humbly submitted that writ petitioner is entitled to additional 10 marks and his total marks comes around to 186. As such the writ petitioner can be declared as pass in TNSET. As the candidate's grievance with regard to answer key(s) has to be sent within one month from the date of declaration of result TNSET-2017 with demand draft of Rs.5000/-, the averments made in this counter affidavit shall not be taken as a precedent by the any other candidates for filing fresh cases against the university beyond the above cut-off period prescribed and in the above bonafide belief, the above correct facts and as well as law are placed before this Hon'ble Court. The university will ensure that no such mistakes will occur in future examinations. Therefore, as the writ petitioner, has secured 186 marks can be declared as pass in TNSET-2017."

5. The learned Counsel appearing for the petitioner agrees for such award.

6. Recording the aforestated statement made by the first respondent in the counter affidavit, the Writ Petition stands closed. The petitioner's claim for issuing certificate can also be considered, if there are no other legal impediments. No costs. Consequently the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Registrar,
Mother Terasa Women's University,
Kodaikanal, Dindigul District.

2.The Member Secretary,
Mother Terasa Women's University,
Kodaikanal, Dindigul District.

+1cc to Mr.E.V.N.Siva, Advocate, SR.No. 53817

+2cc to Mr.A.C.Asaitambi, Advocate, SR.No.53754

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