



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.10.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M. SUNDAR**

W.P. (MD) No. 21395 of 2019

and

W.M.P. (MD) No. 18071, 18073 and 18074 of 2019

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A. Joseph Kiruba

... Petitioner

/Vs./

1. The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Higher Education Department,
Secretariat, Chennai.
 2. The Vice Chancellor,
Anna University,
Sardar Patel Road,
Chennai.
 3. The Registrar,
Anna University,
Sardar Patel Road,
Chennai.
 4. The Controller of Examination,
Office of the Controller of Examination,
Anna University,
Chennai - 600 025.
 5. The Principal,
Anna University Regional Campus (Centre Code 9500),
Tirunelveli - 7.
- ... Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 4th respondent in his proceedings in Lr.No.9500/COE/C30/2019 dated 12.09.2019 and quash the same as illegal and consequentially to direct the respondents to permit the petitioner to appear for the examinations for the fifth semester of the M.E. (Structural Engineering) Course (Part Time) along with arrears of the examinations for its first semester for pursuing M.E., (Structural Engineering) Course (Part Time), within the period that may be stipulated by this Court.



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For Petitioner : Mr.M.Ajmal Khan
Senior counsel
for Mr.M.Mohamed Imran
for M/s.Ajmal Associates
For R-1 : Mr.Aayiram K.Selvakumar
Additional Government Pleader
For R-2 to R-5 : Mr.M.Rajarajan
Standing counsel

ORDER

Read this in conjunction with and in continuation of earlier proceedings made by this Court on 04.10.2019 which reads as follows:

'Mr.M.Ajmal Khan, learned Senior Counsel instructed by Mr.M.Mohammed Imran, is before this Court on behalf of writ petitioners in all six writ petitions.

Mr.Aayiram K.Selvakumar, learned Additional Government Pleader accepts notice on behalf of first respondent, Mr.M.Rajarajan, learned Standing Counsel for Anna University accepts notice on behalf of respondents 2 to 5 and seeks time to get instructions.

Registry to show the names of State counsel and Standing counsel in the next listing.

List in the motion list on 15.10.2019.'

2. Today, Mr.Aayiram K.Selvakumar, learned Additional Government Pleader on behalf of first respondent and Mr.M.Rajarajan, learned Standing Counsel on behalf of respondents 2 to 5 are before this Court.

3. Learned Standing Counsel on behalf of respondents 2 to 5 submitted that he has since obtained instructions and has placed before this Court a communication from the Controller of Examinations (respondent No.4) being Communication dated 15.10.2019 bearing Lr.No.9500/COE/C37/LA/2019, which reads as follows:

'Lr.No.9500/COE/C37/LA/2019

To

*Thiru M.Rajarajan, Government Advocate,
Standing Counsel for Anna University,
Madras High Court at Madurai Bench,
Madurai - 625 023.*



Sir,

Sub : Anna University - Chennai - 25 -
Office of the Controller of Examinations -
W.P.Nos.21392/2019, 21394/2019, 21395/2019,
21396/2019, 21397/2019, 21399/2019 - Reg.

Ref : This office letter
No.9500/COE/C30/2019 dated 12.9.2019.

I invite your kind attention to the cases referred to in the captioned subject wherein the petitioners are seeking direction from the Honourable Court to quash the orders issued by this office (4th respondent) letter No.,9500/COE/C30/2019 dated 12.09.2019.

As per the existing Regulations 2017, if the P.G students viz. M.E/M.Tech (Part time) MCA (Full time) have not successfully completed all courses of semester I at the end of the semester IV, they have to redo the semester I arrears along with regular students. As the petitioners come under this category, they have been requested to do the same in the reference 1st cited.

Now the University, after taking into various clutches and difficulties experienced by the students, have modified the Regulations 2017 in respect of the PG Regulations by issuing an amendment.

According to the amendment (copy enclosed), the students are entitled to write their arrear examinations in the V semester of the M.E (Part time) along with regular subjects.

Most of the students under this category will be benefitted including these petitioners as per this amendment. As the amendment issued would satisfy the requirements of the petitioners, I request you to kindly pray the Honourable High Court of Madras at Madurai Bench for the dismissal of the cases filed by the petitioners.

Yours faithfully,

CONTROLLER OF EXAMINATIONS'

4. Copy of the communication has been shared with the counsel on record for writ petitioner and Mr.M.Ajmal Khan, learned Senior counsel, representing the counsel on record for writ



petitioner is before this Court.

5. In the light of the aforesaid communication, it is the common say of both sides that issue in this writ petition has now been given a quietus and therefore no further orders are necessary.

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6. The aforesaid stated position of the writ petitioner and respondents is recorded and this Writ Petition is disposed of as closed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

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To

The Principal Secretary to Government,
Higher Education Department,
Secretariat, Chennai.

+1CC TO MR.AJMAL ASSO., Advocate Sr. No. 92246
+1CC TO MR.M.RAJARAJAN, Advocate Sr. No.92080
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 92560

Order made in
W.P.(MD)No.21395 of 2019

(3/6)

Dated:15.10.2019

SGS (CO)

TR(24.10.2019) 4P 5C