

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:10.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WMP.Nos.12778, 12787 & 12788 of 2020
in
W.P.No.10527of 2020

Mailesh S.B,(Reg.No.810117251901)
S/o.M.Balakumar.

... Petitioner

Vs.

1.The Registrar,
Anna University,
Guindy, Chennai-25.

2.The Controller of Examinations,
Anna University,
Guindy, Chennai-25.

3.The Director,
Centre for Academic Courses,
Anna University,
Guindy, Chennai-25.

4.The Principal,
Care School of Architecture,
No.27, Thayanur,
Trichy-620 009.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed in Lr.No.8101/COE/C31/2020 dated 13.02.2020 by the second respondent as well as the consequential order in Lr.No.8101/COE/C31/2020 – 8676, 8677 dated 03.03.2020 issued by the 2nd respondent and Lr.No.540/AU/CAC/AB/SAP/2020 dated 13.03.2020 issued by the 3rd respondent and quash the same and consequently direct respondents to permit the petitioner to move to next semester without insiting to re-do the 4th semester and pass orders.

WMP.No.12786 of 2020: Writ Miscellaneous Petition filed under Article 226 of Constitution of India, to grant an order of interim stay of the operation of the impugned order passed in Lr.No.8101/COE/C31/2020-5151 dated 13.02.2020 as well as the consequential letter in Lr.No.8101/COE/C31/2020-8676, 8677 dated 03.03.2020 issued by the 2nd respondent and the Lr.No.540/AU/CAC/AB/SAP/2020 dated 13.03.2020 issued by the 3rd respondent, pending disposal of the above writ petition.

WMP.No.12787 of 2020: Writ Miscellaneous Petition filed under Article 226 of Constitution of India, to grant an order of interim direction directing the 2nd respondent to conduct the supplementary exam for the Studio course Architectural Design III of Semester IV of B.Arch Course

for the petitioner, pending disposal of the above writ petition.

WMP.No.12788 of 2020: Writ Miscellaneous Petition filed under Article 226 of Constitution of India, to grant an order of interim direction directing the 2nd respondent to submit his application for taking up the VI Semester exams of B.Arch Course to be conducted during April 2020 as well as to sit for the examination, pending disposal of the above writ petition.

For Petitioner : Mr.S.Saravanan

For Respondents : Mr.L.P.Shanmugasundaram, for RR1 to 3
Standing Counsel.

ORDER

The main issue raised in this writ petition is that the petitioner having registered for the viva voce examination for the Studio course in semester-IV for Architectural Design-III, was not able to attend the exam due to a situation beyond his control.

2. According to the petitioner, even if a student is absent for an examination, the same must be considered as non-appearance for the examination in which, the student fails. To support this contention,

Clause 18.4 of the Anna University Regulations has been relied upon. Therefore, a student, who fails to secure a pass in a Studio Course due to his absence during examination, should also be permitted to take the supplementary viva voce examination as per Clause 11.2.2 of the Regulations. The grievance of the petitioner is that this supplementary viva voce examination was not conducted and as a result of the same, the petitioner is not allowed to attend the 6th Semester classes. The issue raised by the petitioner requires consideration.

3. Without prejudice to the rights of either parties, in the interest of the student, the petitioner shall be permitted to attend the on-line classes until further orders.

10.09.2020

(2/3)

Note: Upload order today (10.09.2020)

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To:

- 1.The Registrar,
Anna University,
Guindy, Chennai-25.
- 2.The Controller of Examinations,
Anna University,
Guindy, Chennai-25.
- 3.The Director,
Centre for Academic Courses,
Anna University,
Guindy, Chennai-25.
- 4.The Government Pleader,
High Court, Madras.

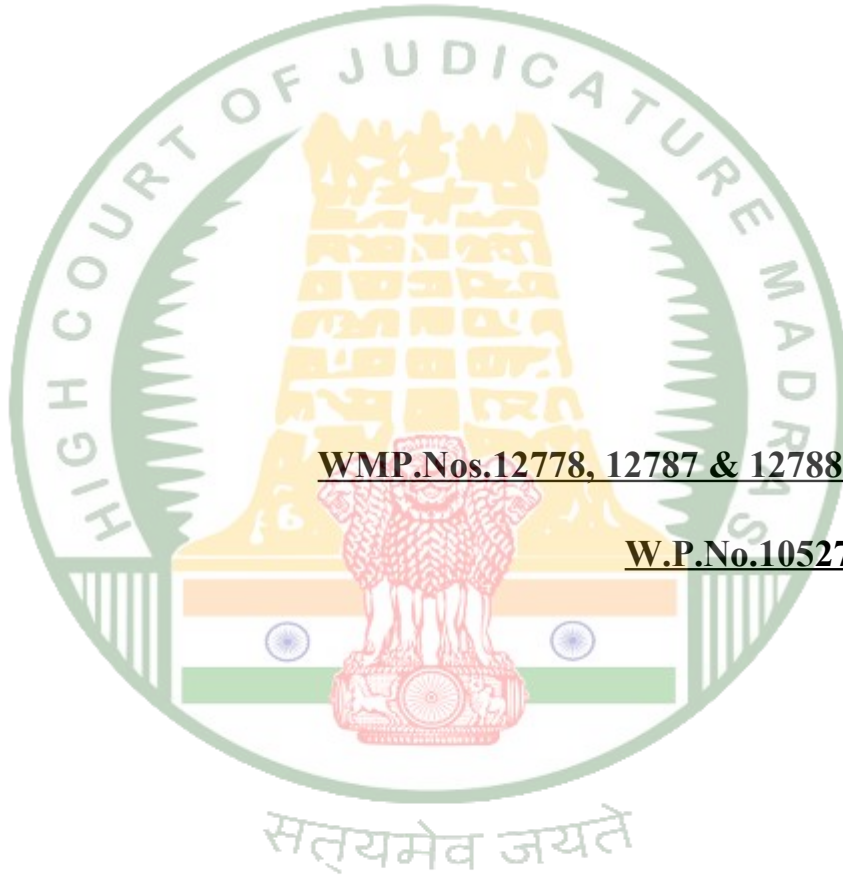


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N.ANAND VENKATESH, J.,

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