

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 4/3/2021

C O R A M

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WRIT PETITION NO.3224 OF 2021

C.Akshara

... Petitioner

Vs

1. The Chairman
Sree Balaji Medical College & Hospital
Chromepet, Chennai 44.
 2. The Controller of Examinations
Bharath Institute of Higher Education & Research
Deemed University, Chennai 73.
 3. The Dean
Sree Balaji Medical College & Hospital
Chromepet, Chennai 44.
- ... Respondents

Prayer:-

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents 1 to 3 to consider the petitioner's representations dated 3/2/2021 and 5/2/2021 and consequently, direct them to issue No Objection Certificate and Hall ticket to the petitioner forthwith enabling her to write the ensuing exam on 15/2/2021 by granting time for payment of arrears of tuition fees of Rs.60,50,000/- till May 2021.

For petitioner ... Mr.Shaikh Mehrunisa
For respondents ... Mr.Senthil Kumar
for R.R.1 and 3
Mr.M.Thamizharasan
Additional Government Pleader
for R.2

O R D E R

This writ petition has been filed to direct the respondents 1 to 3 to consider the petitioner's representations dated 3/2/2021 and 5/2/2021 and consequently, direct them to issue No Objection Certificate and Hall ticket to the petitioner

forthwith enabling her to write the ensuing exam on 15/2/2021 by granting time for payment of arrears of tuition fees of Rs.60,50,000/- till May 2021.

2. Mr.Senthil Kumar, learned Standing Counsel for the respondents 1 and 3 would submit that as per Regulation, 75% of the attendance in a subject is mandatory for appearing in the examination, but the petitioner is having only 40% of attendance in Microbiology, Pathology and Pharmacology and 26% attendance in Forensic Medicine. He would further submit that there is a minimum requirement of internal assessment mark as 11 and the petitioner has secured zero marks in Microbiology, 5 marks in Pathology, 2 marks in Pharmacology and 8 marks in Forensic Medicine. He had filed a counter affidavit to that effect.

3. Learned counsel appearing for the petitioner, submitted that since the examination has already been over, seeks indulgence of this Court to withdraw the writ petition.

4. Accordingly, this writ petition is dismissed as withdrawn. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The Chairman
Sree Balaji Medical College & Hospital
Chromepet, Chennai 44.
2. The Controller of Examinations
Bharath Institute of Higher Education & Research
Deemed University, Chennai 73.
3. The Dean
Sree Balaji Medical College & Hospital
Chromepet, Chennai 44.

+2cc to Mr.Senthil Kumar, Advocate, S.R.No.13783 & 14304

Writ Petition No.3224 of 2021

MG(CO)
CS/30/03/2021