



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2021

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.7174 of 2019

S.Navendhan

... Petitioner

-Vs-

1. The Controller of Examinations,
Pondicherry University,
RV.Nagar, Kalapet,
Pondicherry-605 104.

2. The Registrar,
Pondicherry University,
RV.Nagar, Kalapet,
Pondicherry.

3. The Principal,
Arignar Anna Government Arts & Science College,
Karaikkal, Pondicherry State.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, for issuance of Writs of Mandamus directing the respondents to conduct revaluation of the 3rd and 4th subjects i.e. Abstract Algebra (Theory) Paper and Real Analysis-I (Theory) Papers relating to the third semester relating to the petitioner and consequently issue a revised mark sheet.

For petitioner : Mr. Nazrullah
For Mr.R.Gururaj

For Respondents: Mr. G.Mala For R1 & R2
Government Pleader (P)

O R D E R

The petition has been filed seeking direction to the respondents to conduct revaluation of the 3rd and 4th subjects i.e. Abstract Algebra (Theory) Paper and Real Analysis-I (Theory) Papers relating to the third semester relating to the petitioner and consequently issue a revised mark sheet.



2. The case of the petitioner is that the petitioner joined in B.Sc.(Mathematics) Course at the third respondent college. In first semester, the petitioner obtained 74.5% marks and in the second semester, he obtained 83.5% marks. Insofar as the third respondent, the petitioner has got only 55.5%, even the petitioner written the said examination quite well. In particular, in Abstract algebra paper, the petitioner has obtained 24 credit points equal to just 40 marks. In another subject viz., Real Analysis-I, the petitioner has been obtained only 36 marks equal to 60 marks. The marks are split into 25% for internal and 75% for external exams. In both papers, the petitioner has obtained full marks i.e. 25 marks in the internal examinations. Therefore, the petitioner applied for revaluation for the above said two subjects. The respondents refused to receive the application or charges as per the guidelines. Without having any other option, the petitioner has filed the present writ petition before this Court.

3. The learned counsel for the petitioner submitted that this Court may issue direction to the respondents to conduct revaluation and re-totalling of the papers viz., Real Analysis-I and Abstract Algebra within the time frame as fixed by this Court.

4. The learned Government Pleader for the respondents have filed their counter and submitted that the revaluation is admitted only for the failed candidates. For better appreciation, the relevant paragraphs are extracted hereunder:

".....It is submitted that the Pondicherry university has framed its own Rules and Regulations and there are provisions with terms and conditions on how to apply for revaluation and on what ground it can be revalued is defined. The University constituted a committee to modify and approve the rules and regulations pertaining to revaluation and re-totalling. The committee's amendment/modification were approved by Academic Council in its meeting held on 22.09.2010 vide item No.2010.65.48. Wherein the rule clearly specifies that revaluation will be permitted only in papers where the candidates failed. Revaluation cannot be done for the passed subjects of the candidates/petitioner as demanded, since he has passed in all the papers written during that examination sessions.

The modified version ' ' For a failed candidate re-valuation can be admitted only if the candidate had failed in not more that two papers out of the total subjects written by the candidate during that session. ' '



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Therefore, the counsel prays to dismiss this petition.

5. Heard the learned counsel for the petitioner as well as the learned Government Pleader for the respondents 1 & 2 and perused the materials available on record.

6. It is submitted by the learned Government Pleader that the application submitted by the petitioner for re-totalling along with DD dated 23.01.2019 for a sum of Rs.300/- The fee structure for re-totalling each paper is Rs.250/- whereas the petitioner has paid only Rs.300/- and sought for re-total for four papers. Therefore, the application and the Demand Draft was returned to the petitioner for want of the required charges. It is further submitted that if the candidate is passed in a particular subjects, there is no provision available for revaluation and re-totalling. For failed candidate only, can be admitted for applying revaluation.

7. As rightly pointed out by the learned Government Pleader and after verifying the guidelines produced by the Pondicherry University, this Court does not find any specific ground to allow this petition and there is no merit in this petition and therefore, the same is rejected.

8. In the result, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

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To

1. The Controller of Examinations,
Pondicherry University,
RV.Nagar, Kalapet,
Pondicherry-605 104.

2. The Registrar,
Pondicherry University,
RV.Nagar, Kalapet, Pondicherry.

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EV(CO)
GMY(13/04/2022)