

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HON'BLE MR.JUSTICE B. PUGALENDHI

WP No.18830 of 2020

R. Manikandan

...Petitioner

Vs.

1. The State of Tamil Nadu
Rep.by its Chief Secretary
Fort St.George
Chennai 600 009.

2. The Controller of Examinations,
Anna University,
Guindy, Chennai 600 025.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the representation dated 04.11.2020.

For Petitioner : Mr.R.Praveen Anand

For Respondents : Mr.E.Manoharan
Special Govt. Pleader for R1
Mr.L.P.Shanmuga Sundaram
Special Govt. Pleader for R2

ORDER

This writ petition is filed for a mandamus directing the respondents to consider the petitioner's representation dated 04.11.2020.

2. The case of the petitioner is that he has completed Bachelor of Engineering in Electronics and Communication Engineering in University College of Engineering, Tiruchirappali

but he had one arrear in subject Probability and Random Processes and he is intending to complete the arrear by attending the arrear examination to be conducted by the University. In the month of March 2020 due to Covid - 19 situation, all of a sudden, the proposal for conducting the arrear examination was closed and this petitioner was not given an opportunity to pay the examination fee, however some of his friends have paid the examination fee and registered for the examination.

3. The issue whether to conduct the arrear examination in the present situation has been dealt with in a Public Interest Litigation in W.P.No.16213 of 2020 and this Court by interim order directed the University to conduct arrear examination for the final year students through online mode. But, however, so far as the special arrear examination is concerned no decision has been taken yet by the University as the final verdict in the arrear examination in W.P.No.16213 of 2020 is still pending before this Court.

4. When the matter is taken up for hearing, Mr.L.P.Shanmuga Sundaram, learned Special Government Pleader for Anna University filed a copy of the written instructions provided by the Controller of Examination which reads as follows:-

" I wish to inform further that as far as the special arrear examination is concerned no decision is yet to be taken by the University as the final verdict in the arrear examination (W.P.No.16213 of 2020) has not been pronounced by the Hon'ble Court and the case is posted for further hearing on 11.01.2021.

I wish to inform you that the special arrear examination will be conducted after the verdict of the above case is pronounced by the Hon'ble Court. The mode of conducting examination and the schedule of examination will be intimated to the students through official website of Anna University. Chances will be given to the students one who failed to register and the remit the examination fee for the special arrear examination".

5. He further submitted that by referring the above instructions, a reply was also sent to the petitioner vide letter No.8100/C31/COE/2020-24125 dated 23.11.2020. But the letter was returned stating that "door was locked".

6. In view of the specific stand taken by the Anna University that the special arrear examination would be conducted after the verdict in the writ petition pending before this Court, the mode of conducting examination and the schedule of examination will be intimated to the students through official website of Anna University and all will be permitted to

remit the examination fee for the special arrear examination.
Recording the instructions of the Controller of Examinations,
Anna University, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dpq

To

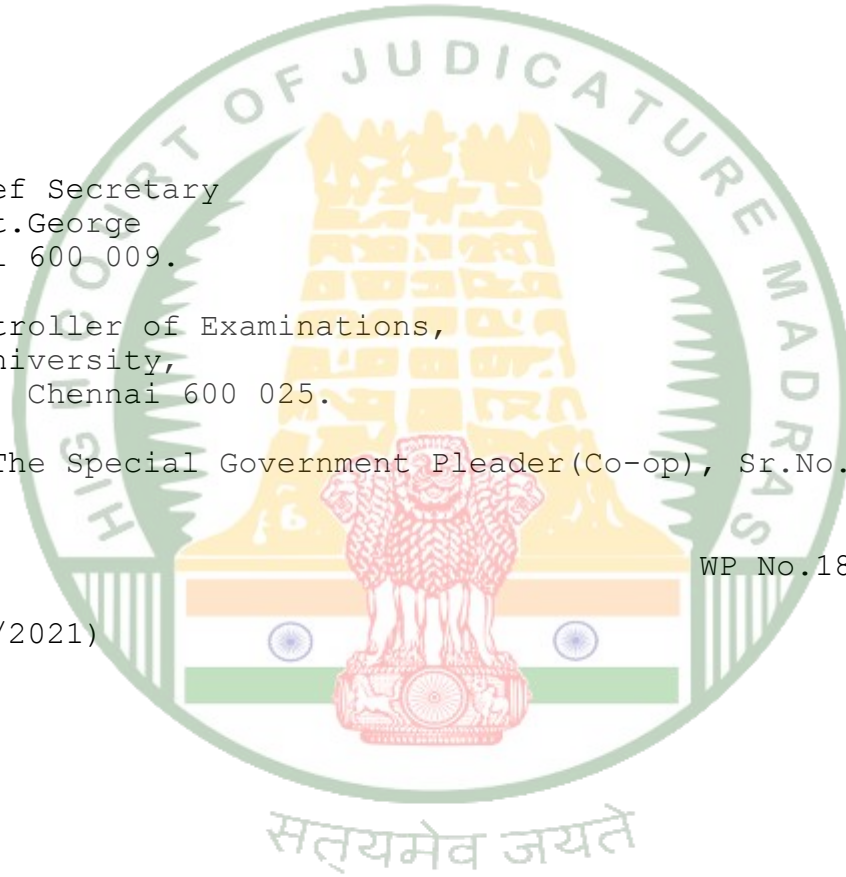
1.The Chief Secretary
Fort St.George
Chennai 600 009.

2.The Controller of Examinations,
Anna University,
Guindy, Chennai 600 025.

+1 cc to The Special Government Pleader(Co-op), Sr.No. 501

CA (CO)
RMP (05/02/2021)

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