



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

WRIT PETITION NO.27075 OF 2021

A.Rajarajan

... Petitioner

.Vs.

1. The Registrar,
University of Madras,
Chepauk,
Chennai - 600 005.

2. The Controller of Examinations,
University of Madras,
Chennai - 600 005.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified Mandamus, to call for the records of the 1st Respondent University in his proceedings Official communication No.E6-Law Sec/M.L. Exams/Dec 2021/1384, dated 13.12.2021 and to quash the same as being illegal and unsustainable in law and for a consequential direction to the Respondent University to permit the Petitioner to attend/write his December 2021 arrear Examinations (Five papers) which is going to start from 15.12.2021.

For Petitioner : Mr.R.Ramachandran

For Respondents : Mr.L.P.Shanmugasundaram

O R D E R

Petitioner has come up with the present Writ Petition seeking to quash the proceedings dated 13.12.2021 of the 1st Respondent University and for a consequential direction to the 1st Respondent University to permit him to write December 2021 arrear Examinations (Five papers), which is going to start from 15.12.2021.



2. According to the Petitioner, he completed Bachelor of Law degree in the year 2011 from Dr.Ambedkar Government Law College, Chennai and applied for Masters in Law, Private Studies (2014 -2016) batch, in the Department of Legal Studies, University of Madras. It is stated by the Petitioner that, he shifted his practice to Delhi in the year 2015 and that, he was unable to write the exams till December 2018. Thereafter, he wrote 8 papers out of 10 in June 2019 and cleared 5 papers. Due to personal reasons, he could not write the remaining papers in December 2019 and that, due to Covid-19 pandemic, he could not attempt March 2020 exams too.

3. As per the Regulations of the Respondent University, after the final attempt, the candidate should not have more than four arrears including Dissertation paper to appear for four further grace attempts. The case of the Petitioner is that, he applied for December 2021 exams with a representation dated 25.10.2021 to the Respondents herein, to consider his request for permitting him to write December 2021 examinations. But, vide communication dated 20.11.2021, his request was turned down by the Respondent University. In this regard, the Petitioner filed W.P.No.26370 of 2021 seeking a direction to the Respondent University to take necessary steps within a stipulated time to consider his case as an exceptional one. Thereafter, he made another representation to the Respondent University on 10.12.2021. However, the same was rejected by the 1st Respondent vide order dated 13.12.2021, and challenging the same, the Petitioner is before this Court.

4. Learned counsel for the Petitioner submitted that, presently, the Petitioner is practising in the Supreme Court. Though, as per the Regulations of the Respondent University, a candidate should not have more than four arrears, the Petitioner has got five arrears in his Masters Law Degree and that, this Court may direct the Respondent University to permit the Petitioner to write five arrears papers.

5. Learned Standing Counsel appearing for the Respondent University submitted that, as per the existing Regulations of the University, a candidate should not have more than four arrears including Dissertation paper and that, as the Petitioner has got five arrear papers, he is not eligible to write arrear examinations.

6. Heard the learned counsel on either side and perused the material documents available on record.

7. Admittedly, the Petitioner has five arrear papers including Dissertation paper in his Masters Law Degree. As per the Regulations of the Respondent University, the Petitioner



should not have more than four arrear papers. The Respondent University has rejected the Petitioner's representation only based on the Regulations. In view of the same, the relief sought for by the Petitioner cannot be granted, as the same is unsustainable in law.

In view of the foregoing, the Writ Petition stands dismissed. No costs. Consequently, connected W.M.P.Nos.28540 and 28541 of 2021 are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

(aeb)

To

1. The Registrar,
University of Madras,
Chepauk,
Chennai - 600 005.
2. The Controller of Examinations,
University of Madras,
Chennai - 600 005.

+1cc to Mr.R.Ramachandran, Advocate, S.R.No.67801

W.P.No.27075 of 2021

RLD(CO)
PBS/19/01/2022