



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2021

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P(MD)No.11784 of 2021

M.Bibin Manoj

... Petitioner

Vs.

1.The Director of Technical Education,
Office of the Director of Technical Education,
Guindy, Chennai - 600 025.

2.The Principal,
GMS MAVMM Polytechnic College,
Alagarkovil,
Madurai - 625 301.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to evaluate the hard copy of Fluid Mechanics and Fluid Power (Subject Code 32043) sent through post on 30.12.2020 and to declare results.

For Petitioner : Mr.P.Balasubramanian
For Respondents : Mr.Lingadurai,
Government Advocate for R1
Mr.V.P.Rajan for R2

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to evaluate the hard copy of Fluid Mechanics and Fluid Power (Subject Code 32043) paper sent through post on 30.12.2020 and to declare results.

2. Heard Mr.P.Balasubramanian, learned counsel appearing for the petitioner, Mr.M.Lingadurai, learned Government Advocate appearing for the first respondent and Mr.V.P.Rajan, learned counsel appearing for the second respondent.

3. The case of the petitioner is that he was doing Diploma in Mechanical Engineering in the second respondent College. The entire course consists of six semesters. The last and final semester examination was conducted during the month of January 2021. As per the notification issued by the first respondent, the following requirements will have to be mandatorily fulfilled by the student in order to evaluate the paper. For proper understanding, the same is extracted hereunder:-

➔ After completing the examination, the student will scan the answer script and convert it as a PDF file with name :
regno-subjectcode



WEB COPY

- The candidate will upload the answer script through Google Classroom within the prescribed time limit of an hour.
- The candidate has to dispatch his/her answer script by speed post / Register Post / Ordinary Post / Courier Service to the respective Institution.
- The answer scripts of only those candidates who have uploaded the PDF in Google Classroom within the prescribed time limit and whose answer script received at the Institution within the prescribed time limit will be considered for valuation.

4. In the present case, the Fluid Mechanics and Fluid Power examination was conducted on 29.12.2020. As per the instructions of the first respondent, the answer sheet has to be uploaded in the website within one hour after the completion of the examination. Only on such uploading of the answer paper, the physical answer script will be received by the Institution on the next day and the same will be evaluated. In the absence of uploading the paper, the second respondent cannot evaluate the answer paper.

5. It is an admitted case of the petitioner that the answer sheet was uploaded only on the next day and it was also received by the second respondent Institution. According to the petitioner, he was not able to upload the answer paper on the same day, since he is in a village and there was some network problem. This reason given by the petitioner cannot be taken into consideration, since there is a fixed procedure prescribed by the first respondent and it has to be uniformly followed by all the Institutions. If this Court relaxes the procedure, it will open up floodgates. Since the petitioner had admittedly uploaded the answer script only on the next day, the second respondent cannot proceed further to evaluate the paper and the petitioner has to necessarily write the paper once again in the next examination.

6. In view of the above, this Court is not in a position to grant the relief sought for by the petitioner and accordingly, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

The Director of Technical Education,
Office of the Director of Technical Education,
Guindy,
Chennai - 600 025.

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-23546[F] dated 22/07/2021)

+1 CC to M/s.SPL GP (SR-23698[F] dated 23/07/2021)

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