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W.P.(MD)No.19751 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.19751 of 2020

and

W.M.P. (MD)No.16460 of 2020

N.Mary Magathelanal

... Petitioner

Vs.

1.The Vice Chancellor,
Manonmaniam Sundaranar University,
Tirunelveli - 627 002,
Tirunelveli District.

2.The Registrar,
Manonmaniam Sundaranar University,
Tirunelveli - 627 002,
Tirunelveli District.

3.The Controller of Examination,
Manonmaniam Sundaranar University,
Tirunelveli - 627 002,
Tirunelveli District.

4.The Principal,
Nesamony Memorial Christian College,
Marthandam - 629 165,
Kanyakumari.

5.Manonmaniam Sundaranar University Education Center,
Thiruvannamalai through Mr.David,
WIIT Study Centre, Mettukadai,
Thuckalay Post - 629 175,
Kanyakumari District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent proceedings in Ref.No.MSU/Exam/M.Phil/Memo-Reminder/2019, dated 08.07.2019 and quash the same as illegal and consequently permit the petitioner join to registration for any programme in Manonmaniam Sundaranar University.

For Petitioner
For Respondents

: Mr.N.S.Ramakrishnadass
: Mr.Mahaboob Athiff for R1 to 3 and R5

* * *



O R D E R

Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the respondents 1 to 3 and 5.

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2.The petitioner challenges the impugned memorandum dated 08.07.2019 issued by the second respondent whereby, the petitioner had been informed that the M.Phil. (Mathematics) degree awarded to her stood cancelled and whereby, she was directed to surrender the statement of marks and also the provisional certificate.

3.The learned counsel appearing for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition.

4.It cannot be disputed that the petitioner can join M.Phil. course only after successfully obtaining a post graduation degree. The petitioner had acquired M.Sc. (Maths) post graduation degree only in May 2018 but she had completed the M.Phil course by 2018 itself (Academic year 2017 - 2018). Thus, she had completed both simultaneously and parallelly. This obviously cannot be permitted. The impugned memorandum was rightly issued and I find no ground to interfere. There is no merit in the writ petition. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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.

+1 CC to M/s.N.S.RAMA KRISHNADASS, Advocate (SR-196[F] dated 06/01/2021)

W.P. (MD)No.19751 of 2020
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MK (CO)

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