



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.11.2021**

CORAM:

THE HONOURABLE MR.JUSTICE C.V. KARTHIKEYAN

W.P(MD)No.19840 of 2021

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1.R.Nirmal
2.P.Harsath Raja
3.P.Nandha Kumar
4.M.Log Arjun
5.Rishi Shanmugar
6.Arun
7.Kishore
8.Santhosh Kumar
9.Prakash

...Petitioners

vs.

1.The Registrar,
Anna University,
Kottapuram,
Chennai - 600 025.

2.The Principal,
Thiagarajar College of Engineering,
Madurai - 625 015.

...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 consider the petitioners' representation, dated 21.08.2021 and to direct the second respondent to provide the petitioner and the other petitioners the Mark Statement (Grade Card) and Provisional Certificate with First Class as originally provided to them based on the CGPA system in the light of the common order passed by this Court in the Writ petition (MD)Nos.4736 of 2020, 7100 of 2020 and 7775 of 2020, dated 16.12.2020.

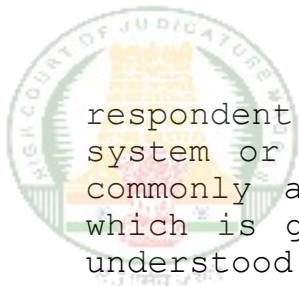
For Petitioner : Mr.C.M.Arumugam

For 1st Respondent : Mr.M.Rajarajan
Standing Counsel

For 2nd Respondent : Mr.Raguvaran Gopalan
Standing Counsel

O R D E R

Having had the unfortunate experience of coming over the corridors of this Court and seeking parity, based on the order passed by a learned Single Judge with respect to other students in W.P.(MD).4736 of 2020, dated 16.12.2020, the petitioners filed these Writ Petitions. In short, the petitioners, who are students of Anna University, had actually undergone the course in the second



respondent college. At the time they joined the course, the grading system or the valuation system was on the basis of what is known commonly as CGPA, namely, Cumulative Grade Point Average system, which is given out of ten marks. This is an issue that would be understood to the petitioners herein.

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2. There was also another system which has been subsequently introduced during the period when they underwent the studies, namely, Choice Based Credit System (CBCS) Regulation. If this particular method is adopted, it upgrades the evaluation process to a much stricter level. This would automatically conversely also mean that the grades obtained by the students, would be downgraded owing to adoption of the scheme which was introduced during the course of study, namely, the Choice Based Credit System.

3. The petitioners were naturally affected by this particular introduction midway through their course. They joined the course and had prepared for the exams and had applied their mind during the exams on the hope and trust and if they attained a particular grade, they would be placed in a particular category of First Class. But, then, during the course of study, they found that this had actually worked out to their disadvantage and if they had been made aware of the new system, they would have applied their mind more diligently during the course of study. I am conscious these are only general statements, but these statements directly affected the manner in which the students approached their studies in the second respondent college.

4. The original system which existed, was based on CGPA and that 64% credit would be fixed to all the students as determined by the college or the University. Under the new system which is CBCS system, they would stand to lose if their grades were examined on the basis of such a system.

5. A learned Single Judge when faced with similar issue, had, I am informed, examined the issues in detail and I am also informed that in earlier heard the Controller of Examinations of Anna University had also appeared through video conferencing and has explained the methodology to the learned Single Judge and thereafter, orders were passed. I should place my appreciation for the detailed manner in which such exercise was done by the learned Single Judge.

6. A Memo had been presented before me by the learned Counsel for the second respondent, in which, the relevant portion of the order or direction given by the learned Single Judge had been extracted and I would very willingly extract the same in this order also. It reads as follows:

"The respondents are directed to issue the certificate to the petitioners with a Grade/Class as per the regulations existed/were in force at the time of their admission and if already given as per the same, the students shall not be forced to



submit their certificates for re-classification. Such exercise shall be done within a period of six months from the date of receipt of a copy of this order. Further, the respondents are directed to follow the uniform guidelines/regulations from the academic year 2021-2022 onwards."

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7. Heard the learned Counsel for the petitioner and also Mr. Raja rajan, learned Counsel who appears for the first respondent and also Mr. Raguvaran, who appears for the second respondent college. They are all in agreement with the directions given by the learned Single Judge and I would readily also accept the same, since it simplifies the issues before me and it only requires me to issue a direction to the second respondent to examine the marks of the students and reclassify the marks in accordance with the system which prevailed when they joined their respective courses. I am confident that the second respondent would collect the certificates from the petitioners herein and forward them to the first respondent who would reclassify the students in accordance with the system which prevailed when they joined their respective courses.

8. A direction is given to the second respondent to collect the certificates from the petitioners herein and in this regard, an obligation is also placed on the petitioners to forward the certificates to the second respondent immediately on receiving a communication with respect to the same which communication may even be forwarded through e-Mail or through any other method by the second respondent to the writ petitioners.

9. It is hoped that the petitioners would co-operate with the second respondent and forward the certificates and complete that particular exercise on or before **15.12.2021**. The same may be forwarded to the first respondent by the second respondent by **20.12.2021** and thereafter, a period of twelve weeks is granted to the first respondent to complete the entire exercise of reclassification of the marks obtained by the petitioners in accordance with what existed at the time when they joined their respective courses.

10. With the said direction, the Writ Petition is disposed of. No costs.

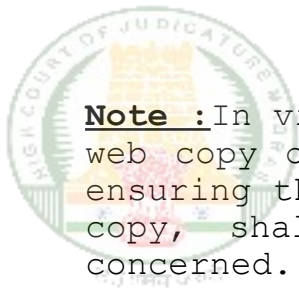
Sd/-

Assistant Registrar (CS-I)

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/ /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.

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To

1.The Registrar,
Anna University,
Kottapuram,
Chennai - 600 025.

2.The Principal,
Thiagarajar College of Engineering,
Madurai - 625 015.

+1 CC to M/s.C.M. ARUMUGAM, Advocate (SR-35239[F] dated
19/11/2021)

W.P (MD) NO.19840 of 2021
18.11.2021

RD(30.11.2021) 4P 4C