



W.P(MD)No.16943 of 2013

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.07.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.16943 of 2013

S.A.Gayathiri

... Petitioner

Vs.

1.The Registrar,
Anna University,
Guindy,
Chennai-32.

2.The Controler of Examinations,
Anna University of Technology,
Chennai.

3.The Regional Director,
Regional Center,
Anna University,
Tiruchirappalli.

4.The Principal,
Kings College of Engineering,
Punalkulam,
Kandarvakottai Taluk,
Purukkottai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the



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second respondent to issue the petitioner's Degree Certificate and Consolidated Mark Statement, by incorporating the result and Grade of the 1st semester subject , 'Embedded Systems and Design (Code PV5102)' by considering her representation dated 25.09.2013.

For Petitioner : Mr.M.Solaisamy

For R1 - R3 : Mr.John Rajadurai

For R4 : No Appearance

ORDER

The present writ petition has been filed seeking for a Writ of Mandamus, directing the second respondent to issue a Consolidated Mark Statement that he has passed in all papers including Code No. PV5102.

2. According to the learned Counsel for the petitioner, the petitioner has appeared for M.E., examination in November/December 2010. In the said examination, the petitioner has not passed in PV5102 and PV 5104. She applied for revaluation for PV5102. According to the petitioner, a mark statement was issued by the Anna University of Technology, Tiruchirappalli, that the petitioner has passed in the subject



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code PV5102 with Grade-C. Based upon the said certificate issued by the second respondent herein, the petitioner has been regularly approaching the University for issuance of Consolidated Mark Statement that she has also passed the subject PV5102. Since there was no response for the said request, the present writ petition has been filed.

3. The learned Standing Counsel appearing for the respondent University contended that during the relevant period, there were several allegations as against the Controller of Examinations at Tiruchirappalli. Hence, after checking the records, they came to know that no such mark statement as claimed by the petitioner for PV5102 has been issued at any point of time. Hence, the contention of the writ petitioner that she has passed PV5102 by way of revaluation is not legally sustainable. The learned Standing Counsel for the respondent University has also contended that the disciplinary action has been initiated as against the said Controller of Examinations for involving in these kinds of fraudulent activities and he has been dismissed from service.

4. I have carefully considered the submissions made on either side.



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5. It is the specific case of the petitioner that she has applied for revaluation of PV5102 on 27.05.2011 and she was declared to have cleared the said paper by way of issuance of mark statement. Both the revaluation application as well as the mark statement which are said to have been issued by the Controller of Examinations, Tiruchirappalli, are being strongly disputed and they are contended to be fake documents. The petitioner has joined the M.E., Course in the year 2010. As per the regulations prevailing at that point of time, she has to pass out within a period of four years. The petitioner was under the impression that already she has cleared all the papers and she has not re-appeared for PV5102. That apart, the petitioner has filed a writ petition in the year 2013 and she was awaiting for the result of the writ petition. Hence, the petitioner could not re-appear for the said subject.

6. The respondents No. 1 and 2 are directed to consider the request of the petitioner for re-appearing in the subject PV5102 (Embedded System and Design) and thereafter, issue a Consolidated Mark Statement depending upon the result in the said examination.

7. With the above said observations, this Writ Petition is disposed



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of. No costs.

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Index : Yes / No
Internet : Yes / No
jbr

To

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Anna University of Technology,
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- 3.The Regional Director,
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R.VIJAYAKUMAR ,J.



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