



W.P.(MD)No.26754 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.11.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.26754 of 2022

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... Petitioner

Vs.

1.The Vice-Chancellor,
Mononmaniam Sundaranar University,
Tirunelveli.

2.The Registrar,
Manonmaniam Sundaranar University,
Tirunelveli.

3.The Controller of Examination,
Manonmaniam Sundaranar University,
Tirunelveli.

4.The Principal,
Muslim Arts College,
Thiruvithancode,
Kanyakumari District-629 174.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation dated 20.10.2022 and permit the petitioner to attend the personality development exam to be scheduled on 01.12.2022.

For Petitioner : Mr.M.R.Sreenivasan
For R1 to R3 : Mr.M.Mahaboob Athiff



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ORDER

The petitioner has filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 20.10.2022 and permit the petitioner to attend the personality development exam, scheduled to be conducted on 01.12.2022.

2. Heard Mr.M.R.Sreenivasan, learned counsel for the petitioner and Mr.M.Mahaboob Athiff, learned counsel, who takes notice for the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The grievance of the petitioner is that the representation of the petitioner, dated 20.10.2022 seeking to permit the petitioner to write his examination, has not been considered.

4. The learned counsel for the petitioner submitted that the petitioner studied his U.G.Degree (2015-2018) in the fourth respondent college. In the year 2018 (final semester of the petitioner), due to ill health, the petitioner could not attend the Personality Development Exam. Other than that, the petitioner had cleared all other subjects. In the year 2019 and 2020, though he appeared for the said examination, he could not complete the same. Once



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again, he applied for the said exam on 09.11.2021. At that time, it was informed by the fourth respondent office that the Code for the Personality Development has been changed and the petitioner cannot apply for the same. Hence, the petitioner made a representation to the respondents on 20.10.2022 requesting them to permit the petitioner to appear for the said exam. But the same has not been considered by the respondents. Hence, the petitioner is before this Court with the aforesaid prayer.

5. The learned counsel for the respondents submitted that the representation of the petitioner will be considered by the respondents within two days and necessary orders will be passed on the same.

6. It is seen from the materials placed before this Court that the petitioner has passed out all the subjects, except the Personality Development Exam. Since this subject is not cleared by the petitioner, the petitioner could not complete the degree. Further, if the petitioner is allowed to write the said exam and on completion of the degree, he will be the first graduate in his family.

7. Considering the fact that the petitioner's failure to attend the exam is not wanton and the petitioner is the first graduate in his family, this Court is inclined to show some indulgences to the petitioner for the welfare of his

future. In the result, this Writ Petition is allowed and the respondents are



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directed to permit the petitioner to write the exam scheduled to be held on 01.12.2022. There shall be no order as to costs.

28.11.2022

Index : Yes/No

Internet : Yes/No

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Note: Issue order copy on 29.11.2022

To

1.The Vice-Chancellor,
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Tirunelveli.

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V.BHAVANI SUBBAROYAN, J.

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Order made in
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