



W.P.No.13218 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.13218 of 2023

B.Johnpaul

... Petitioner

Vs.

1. The Tamil Nadu Controller of Examination,
Dr.Ambedkar Law University,
'Poompzhil' No.5, Dr.D.D.G.S.,
Dhinakaran Salai,
Chennai – 600 028.

2. The Principal,
Government Law College,
Coimbatore – 600 046.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the first respondent pertaining to revaluation of the petitioner's exam papers and to publish the petitioner's result.

For Petitioner : Mr.V.Ramalingam

For Respondents : Mr.E.Veda Bagath Singh
Special Government Pleader

O R D E R



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This Writ Petition has been filed for a direction to the first respondent pertaining to revaluation of the petitioner's exam papers and to publish his result.

2. The case of the petitioner is that the petitioner was joined in the Law College, Coimbatore, under the control of the Ambedkar Law University, Chennai for 3 years L.L.B. Course and he attended his 3rd year examination conducted by the Law College in February 2022. The exam result was published in time whereas his result was withheld. Hence, he sent a requisition letter to the Controller of Examination on 21.06.2022 to direct the Principal Law College, Coimbatore to release his exam result. He has also sent legal notice through his advocate on 27.09.2022 and 03.10.2022. The Principal Coimbatore Law College sent a reply that the petitioner's result was withheld due to alleged malpractice and exam fee due of Rs.465/-. After the clearance of the due, his withheld result was published on 31st May, 2022 and the same was displayed in the College notice board. However, the petitioner has failed in few subjects and thereby, the present



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Writ Petition has been filed for revaluation of the exam papers.

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3. The learned counsel appearing for the petitioner would submit that though the exam was conducted in February 2022, the result was published only on 31.05.2022 after a lapse of three months. However, the same was not communicated to the petitioner and the same was communicated to the petitioner only after legal notice was sent by the petitioner. Hence, this Court may issue a direction to the respondents to conduct revaluation and accordingly, he prayed for allowing the Writ Petition.

4. The learned Special Government Pleader appearing for the respondents, on instructions, would submit that there is no provision available for revaluation and in the absence of any provision, issuing direction for revaluation is unsustainable. Though the examination was conducted in February 2022, the result was withheld due to alleged malpractice and exam fee due of Rs.465/-. Subsequently, his result was



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published on 31.05.2022 after clearing the dues, but the petitioner failed to notice it out of inadvertence. That apart, filing the present Writ Petition, that too after a lapse of one year, when such provision for revaluation is not available, is not permissible. However, the petitioner is entitled to participate in the arrear examination. But, the petitioner has not taken any steps for participating in the arrear examination. Accordingly, he prayed for dismissal of the Writ Petition.

5. Heard the learned counsel appearing for the parties and perused the materials placed before this Court.

6. Admittedly the petitioner was participated in the examination conducted in February 2022 and the result was published on 31.05.2022, in the college notice board, as claimed by the respondents in the reply dated 11.10.2022 to the legal notice sent by the petitioner. It is further to be noted that the petitioner is entitled to participate in the arrear examination conducted by the Law College and without participating in the arrear



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examination, filing the present Writ Petition after a lapse of one year for revaluation is unsustainable. Hence, the prayer sought for in the Writ Petition cannot be granted.

7. Accordingly, this Writ Petition is dismissed. However, liberty is granted to the petitioner to participate in the arrear examination to be conducted by the Law College in the future. No costs.

01.06.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

To

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M.DHANDAPANI,J.

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