



WEB COPY



W.P. No.6872 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.6872 of 2023

and

W.M.P.No. 6967 of 2023

M.Ashok Kumar

... Petitioner

Vs.

1. The State rep.by
The Secretary to Government,
Higher Education Department,
Secretariat, St.George Fort,
Chennai.
 2. The Controller of Examination,
Directorate of Technical Education,
Guindy, Chennai-25.
 3. The Director,
Centre for Student Affairs,
Anna University, Chennai-25.
 4. The District Collector,
Kallakurichi District, Kallakurichi.
 5. The Principal,
A.K.T. Memorial College of Engineering and Technology,
Kallakurichi and District.
- ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for



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issuance of a Writ of Certiorarified Mandamus, call for the records pertaining to the 3rd respondents proceedings in Lr. No.CSA/ SA3-1/ 646R/ 2022 dated 23.12.2022 and consequently permit the petitioner to write the VI Semester examination and arrear papers in V Semester in the academic Year 2022-2023.

For Petitioner : Mr.H.Rajesh

For Respondents : Mr.E.Veda Baghatt Singh, SGP
[R1,R2 & R4]
: Mr.M.Suresh Kumar [R3]

ORDER

This writ petition is filed seeking for issuance of a writ of certiorarified mandamus to quash the proceedings of the third respondent in Lr. No.CSA/ SA3-1/ 646R/ 2022 dated 23.12.2022 and consequently permit the petitioner to write the VI Semester examination and arrear papers in V Semester in the academic Year 2022-2023.

2. Since no adverse order is being passed against the fifth respondent, notice to fifth respondent is dispensed with.

3. It is the case of the petitioner that he is pursuing Mechanical Engineer Degree Course at the fifth respondent's college and he completed two years. Subsequently the petitioner was arrested by the police due to participation in the riot of a private school in Kainyamoor, Kallakurichi District and he was



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sent to judicial custody on 17.07.2022. Thereafter, he came out on bail on 11.08.2022. The petitioner approached the fifth respondent college and even after explaining them that he was falsely implicated in the above said case, they restrained the petitioner from attending the regular classes due to which the petitioner approached the fourth respondent and explained the above said facts. Thereafter, the petitioner based on the direction given by the fourth respondent, was allowed to attend the regular classes. It is further the case of the petitioner that the second respondent announced the V-semester examination for the academic year 2022 - 2023 and he has also applied for the said examination. However, the hall ticket for the said examination was not uploaded to the petitioner. While so, the petitioner made a representation before the respondents on 12.12.2022 seeking to permit the petitioner for VI semester examination and to issue hall ticket, pursuant to which, the third respondent sent a mail on 23.12.2022 enclosing the letter dated 17.12.2022 of the fifth respondent, wherein it is stated that the petitioner's attendance percentage is below 65 and due to the shortage of attendance he was not permitted to write the regular examination. Aggrieved over the same, the petitioner has come up with the present writ petition.

4. Though very many grounds have been raised in the above writ



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petition it would be sufficient if this Court permits the petitioner to attend the classes in the fifth respondent school and to permit him to appear for arrear examination, if the petitioner satisfied 75% of attendance.

5. On the above contentions heard the learned counsel appearing for respective respondents and perused the materials placed before this Court.

6. Though a larger relief has been sought for by the petitioner, in view of the limited request sought for by the petitioner, this Court without interfering with the order impugned grants permission to the petitioner to attend the regular classes and appear for future examinations. The petitioner shall also be permitted to write the arrear examination if he has secured 75% of attendance.

7. Accordingly this writ petition is disposed of. No costs. Consequently connected miscellaneous petition is closed.

07.03.2023
(1/2)

rap

Index : Yes / No

Speaking order : Yes / No

NCC : Yes/No



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W.M.P.No.6966 of 2023

in

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M.DHANDAPANI,J.

Dispensed with for the
present.

07.03.2023

(2/2)

RAP