



W.P.(MD)No.21041 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.11.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.21041 of 2021

K.V.Sajin

... Petitioner

-VS-

1.The Controller of Examination,
Anna University, Chennai - 600 025.

2.The Principal,
Maria College of Engineering and Technology,
Attoor, Thiruvattar PO, Marthandam,
Kanyakumari District 629177.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to evaluate the petitioner's Re-examination April / May 2021 answers papers in respect of 7 subjects with codes ME2151, MA2161, CY2161, PH2161, GE2151, MA2111 and CY2111 lying with the second respondent and publish the results within the time frame fixed by this Court.

For Petitioner : Mr.R.S.Sivaram

For R1 : Mr.K.Govindarajan
Standing Counsel

For R2 : No Appearance



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ORDER

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This Writ Petition has been filed for issuance of Writ of Mandamus, directing the first respondent to evaluate the answer papers in seven subjects, which were written by the petitioner during May, 2021 and to publish the results within the time frame fixed by this Court.

2. The case of the petitioner is that he had totally 31 papers as arrears as on December, 2020. The petitioner wanted to write all these papers and at the time of applying, the official portal of the first respondent had shown only 24 papers and the balance seven papers was not shown in the portal. Hence, the petitioner wrote the 24 papers. Insofar as the left out seven papers are concerned, the issue was taken up before the second respondent College and the first respondent notified for the re-examination during May, 2021, which was postponed to July, 2021. The petitioner approached the second respondent College to permit him to write re-examination in the seven papers and accordingly, the petitioner wrote the examinations during June and July, 2021 for the seven subject papers.



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3. The grievance of the petitioner is that the first respondent had published the results for the re-examination during December, 2020 and the result with respect to seven papers was not published. On enquiry, the petitioner found that the papers were not valued and they have been kept in the sealed cover in the second respondent College itself. It is under these circumstances, the present Writ Petition has been filed before this Court.

4. When the matter was taken up for hearing today, the learned counsel appearing on behalf of the petitioner submitted that subsequently during the pendency of the Writ Petition, the petitioner had cleared all the papers. However, the petitioner wants to evaluate the seven papers, since as per Regulations, the better marks scored will be taken into consideration.

5. The learned Standing Counsel appearing on behalf of the first respondent apart from reiterating the stand taken by the first respondent in the counter affidavit submitted that the second respondent College ought to have submitted the Addition/Deletion Form with the prescribed fees to the first respondent and only then, the first respondent can evaluate the papers.



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6. Heard the learned counsel appearing on behalf of the petitioner and the learned Standing Counsel appearing on behalf of the first respondent.

Though the second respondent has been served with notice and their name has also been printed in the cause list, there is no representation either in person or through counsel.

7. Taking into consideration the facts and circumstances of the case, there shall be a direction to the second respondent to submit the Addition/Deletion Form along with the prescribed fees to the first respondent within a period of four weeks from the date of receipt of a copy of this order. If the petitioner has not already paid the fees, he shall pay the necessary fees to the second respondent to enable them to send the Form along with the prescribed fees. On receipt of the Form along with the prescribed fees and the seven papers that are kept in the sealed cover from the second respondent, the first respondent shall evaluate the answer papers in the seven subjects and shall publish the results within a period of three months thereafter.



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8. This Writ Petition is disposed of with the above directions. No costs.

NCC : Yes/No
Index : Yes/No
SMN2

16.11.2023

To

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N.ANAND VENKATESH, J.

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