



W.P(MD)No.25176 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25176 of 2023

and

W.M.P.(MD)Nos.21388 & 21390 of 2023

1.M.Balakrishnan

2.K.Esakki Muthu

... Petitioners

Vs.

1.The Commissioner,
Directorate of Technical Education,
Guindy,
Chennai-600 025.

2.The Chairman,
(Board of Examinations Tamil Nadu)
State Board of Technical Education
and Training Department of Technical Education,
Chennai-600 025.

3.The Principal,
FX Polytechnic College,
Tharuvai,
Ambasamudram Road,
Tirunelveli District-627 356.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to permit the petitioners to write the Second Year Semester Examination (EEE Course) in the 3rd respondent / F.X.Polytechnic College, Tharuvai, Tirunelveli



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commencing from 03.11.2023 by consider the petitioner's representation dated 21.09.2023 and 12.10.2023.

For Petitioners : Mr.I.Pinaygash

For Respondents : Mr.S.Ra.Ramachandran
Additional Government Pleader for R1 & R2

: Mr.P.Karthik for R3

ORDER

Heard both sides.

2. The petitioners belong to SC community. They hail from rural background. They will be the first generation graduates in their families. They are studying in the 3rd respondent college. The first petitioner had completed the first 2 semesters in the third respondent college. The second petitioner is a lateral entrant. On account of their implication in a petty criminal case on 28.08.2023, they were restrained by the college management from attending the classes. Because of this they had suffered lack of attendance. Therefore, they are not in a position to write the 3rd semester examinations.



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3. Shri.Billi Abraham, Regional Officer-III, Director of Technical Education, Anna University, Guindy appeared before this Court through video conference. I suggested that because of the lack of attendance, the petitioners should not lose one year.

4. Taking into account the special facts and circumstances of this case, not only the second petitioner, the first petitioner shall also be permitted to join in the 4th semester by the 3rd respondent college. The petitioners can write the 3rd semester examinations along with the 4th semester examinations.

5. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

19.10.2023

Index : Yes / No
Internet : Yes/ No
rmi

To

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G.R.SWAMINATHAN, J.



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