



W.P(MD)No.10000 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.10000 of 2017 and
WMP(MD) Nos.7654,7655 & 16077 of 2017

J.Dennis Doil

... Petitioner

Vs

1.The Director,
Directorate of Technical Education (DOTE),
Sardar Patel Road,
Guindy,
Chennai – 600 025.

2.The Registrar,
Anna University Chennai,
Sardar Patel Road,
Guindy,
Chennai – 600 025.

3.The Controller of Examination,
Anna University Chennai,
Sardar Patel Road,
Guindy,
Chennai – 600 025.

4.The Registrar,
Manonmaniam Sundaranar University,



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Abishekapatti,
Tirunelveli – 627 012.

5.The Controller of Examination,
Manonmaniam Sundaranar University,
Abishekapatti,
Tirunelveli District – 627 012.

6.The Principal,
Noorul Islam College of Engineering,
Kumarakovil,
P.B.No.1,Thuckalay,
Kanyakumari District.

7.The Director,
Academic Courses,
Anna University,
Sardar Patel Road,
Guindy,
Chennai – 600 025.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the third respondent dated 07.10.2016 in letter No.9614/COE/C36/2016-43821 and quash the same as unconstitutional and unsustainable, consequently direct the seventh respondent to permit the petitioner to write his arrear examination in subject, Mathematics (Sub.code:K41), considering him as special category and either under new syllabi or under old syllabi.



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For Petitioner	: Mr.S.Balamurugan
For R1	: Mr.G.V.Vairam Santhosh Additional Government Pleader
For R2 & R3	: Mr.J.John Rajadurai Standing Counsel
For R4 & R5	: Ms.H.Jasima Yasmin for M/s.Ajmal Associates

ORDER

The petitioner, who is an engineering college student and having arrears has filed this writ petition in the year 2017 for a Mandamus directing the respondents to permit him to write the arrear examination.

2.The case of the petitioner is that he has joined B.E., (E.C.E) in Noorul Islam College of Engineering, the sixth respondent herein, which is affiliated with Manonmaniam Sundaranar University. The petitioner has completed the course in the year 2002. However, he did not clear one subject, Mathematics (Subject Code K41). The grievance of the petitioner is that the petitioner has received a communication stating that the syndicate of



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the Manonmaniam Sundaranar University has resolved that the maximum possible chances to appear for B.E., Examination was over in the year 2011, as all the Engineering colleges are now affiliated to Anna University, Chennai. Hence, the petitioner has approached this Court in the year 2017.

3.The learned counsel for the Manonmaniam Sundaranar University/the respondents 4 & 5 has stated after the establishment of Anna University, all the Engineering Colleges are now affiliated with the Anna University and therefore, they are not having any role to grant any permission permitting the petitioner to write the arrear examination.

4.The learned standing counsel appearing for the respondents 2 & 3/ Anna University submits that this petitioner was admitted in the sixth respondent Engineering College in the year 1998. At that time, the college was affiliated with the Manonmaniam Sundaranar University. However, Anna University in its Syndicate



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Resolution, dated 24.11.2014 has barred the students of other Universities to write their arrear examinations in Anna University and directed all the Universities to conduct arrear examinations on their own. However, other Universities did not come forward to conduct arrear examinations. In view of the request made by the students of other universities of this category, Anna University has now taken a decision by its resolution dated 20.04.2023 to conduct the arrear examination by the Anna University for the students of other Universities also. However, it would take some time to conduct the examinations, to finalize the curriculum, syllabus and for preparation of question papers.

5. Recording the written instructions provided by the Controller of Examination of Anna University, dated 29.11.2023, this writ petition is disposed of with a liberty to the petitioner to appear for the arrear examination to be conducted by the Anna University and after clearing the examination, the petitioner can very well approach the Manonmaniam Sundaranar University for



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issuance of necessary certificate including the degree certificate. No costs. Consequently, connected Miscellaneous Petitions are closed.

06.12.2023

NCC: Yes/No
Index: Yes/No
Internet: Yes
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