



WP(MD)No.17267 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 24.04.2023

CORsAM:

THE HONOURABLE MR.JUSTICE **B. PUGALENDHI**

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R.Gowtham Raj

... Petitioner

Vs

- 1.Kodaikanal Christian College,
(Autonomous),
Represented by its Chairman,
Paradise Hill,
Kodaikanal,
Dindigul District.
- 2.The Principal
Kodaikanal Christian College,
Paradise Hill, Kodaikanal,
Dindigul District.
- 3.The Vice Principal,
Kodaikanal Christian College,
Paradise Hill, Kodaikanal,
Dindigul District.
- 4.The Controller of Examinations,
Kodaikanal Christian College,
Paradise Hill, Kodaikanal,
Dindigul District.
- 5.The Madurai Kamarajar University,
Palkalai Nagar,
Madurai,
represented by its Registrar.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 to 4 to forthwith hand over the petitioner's degree certificate, Mark statement, convocation, conduct certificate, transfer certificate, school certificates and other merit certificates without any further delay by confirming the exam result declarations of Pass made earlier by the 1st respondent college in December 2016 in its website in respect of the petitioner in regard to the subjects 1, introduction to French (ULF01), 2. Marketing Management (BAC21), 3. Business Mathematics (BAA20), 4.Non Major Elective Advanced Tamil-II (ATNAB).

For Petitioner : Mr.R.Senthil Kumar

For Respondent : Mr.JM.Hasanul Bazari
Nos.1 to 4

For Respondent : Mr.T.Sakthikumaran
No.5

ORDER

This writ petition is filed for a writ of mandamus directing the respondents 1 to 4 to hand over the petitioner's degree certificate, mark statement, convocation, conduct certificate, transfer certificate, school certificates and other merit certificates.



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2.The grievance of the petitioner is that he had studied B.B.A., in the 1st respondent College, during 2011 to 2014. However, he was having arrears, which were cleared by him in examination conducted in November 2016 and the results were declared during December 2012. While so the petitioner made a request for issuance of all his certificates, but the 1st respondent college did not issue his certificates, instead asked him to re-write the examinations that the signature of the invigilator was not found in the additional answer sheet. Therefore, the petitioner has approached this Court with the above prayer.

3.The learned Counsel for the 5th respondent University submits that the respondent college is an Autonomous college and therefore, the 5th respondent has nothing to do with the issue.

4.The learned Counsel appearing for the respondent College through video conferencing submits that the petitioner indulged in malpractices and therefore, he was directed to re-appear for the examinations. However, the petitioner did not appear for the exam as directed.



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5.Heard the learned Counsel on either side.

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6.The petitioner alleges that the respondent college has not issued his degree certificates. Though this writ petition is filed in the year 2017, the respondents have not filed any counter so far. When this Court raised a query to as to whether any enquiry has been contemplated for the alleged malpractice, the learned Counsel appearing for the respondent college is not having any material to answer the same.

7.In view of the above discussion, this writ petition is allowed and the respondent college shall hand over the certificates to the petitioner. No costs.

24.04.2023

Internet : Yes / No

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