

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**MONDAY ,THE FOURTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 26219 OF 2023

Between:

Aouf Bin Sayeed Bin Siddig, S/o Late Sri Sayeed Bin Salam, Aged about 25 yrs., Occ. Student, R/o 20-4-391/A, Himmatpura, Shalibanda, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Through its Principal Secretary, Higher Education, Having office at T.S. Secretariat, Hyderabad.
2. The Osmania University, Rep. by its Controller of Examinations, Having office at Osmania University Campus, Hyderabad.
3. Mahatma Gandhi Law College, Rep. by its Principal, Having office at NTR Nagar, LB Nagar, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to pass an order. direction or a writ particularly in the nature of Writ of Mandamus declaring that the inaction on part of the respondent no. 2 in taking action on the basis of complaint given by the petitioner on 2/9/2023, is highly illegal. arbitrary and amounts to dereliction of duties. Consequently, this Honourable Court may be pleased to direct the respondent No.2 to conduct re examination for the petitioner in Constitutional law II, for the I year II Semester. LLB 3 YDC course

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to pass an interim direction thereby directing the respondent no.2 to immediately conduct

re examination for the petitioner in Constitutional law II, for the I year II Semester,
LLB 3YDC course

Counsel for the Petitioner: SRI. MOHAMMAD ADNAN

Counsel for the Respondent No.1: GP FOR HIGHER EDUCATION

Counsel for the Respondent Nos. 2&3: SRI CH. JAGANNATH RAO, SC

The Court made the following: ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA**WRIT PETITION No. 26219 OF 2023****ORDER:**

Heard learned counsel appearing on behalf of the petitioner as well as learned counsel appearing on behalf of the respondents.

2. The prayer as sought for by the petitioner in the present writ petition reads as under:

"To pass an order direction or a writ particularly in the nature of Writ of Mandamus declaring that the inaction on part of the respondent No.2 in taking action on the basis of complaint given by the petitioner on 02.09.2023, is highly illegal arbitrary and amounts to dereliction of duties. Consequently, this Hon'ble Court may be pleased to direct respondent No.2 to conduct re-examination for the petitioner in Constitutional law II, for the I year II Semester LLB 3 YDC course".

3. This Court, on 05.10.2023 has passed an order by observing as follows:

"Taking into consideration that the issue involves career of a student, the respondent No.2 is directed to take action on the complaint given on 02.09.2023 in accordance to law and pass appropriate orders, within a period of two (02) weeks from the date of receipt of the

copy of this order, and duly communicate the said decision to the petitioner."

4. Learned counsel appearing on behalf of the respondents brings on record the speaking order dated 16.11.2023 issued by the Controller of Examinations, Osmina University, Hyderabad vide Proceedings No.304/COEP/Exams/2023 and contends that the order of this Court dated 05.10.2023 had been complied with and a speaking order dated 16.11.2023 has been passed and communicated to the petitioner.

5. However, learned counsel appearing on behalf of the petitioner contends that the speaking order dated 16.11.2023 issued by the Controller of Examinations, Osmina University, Hyderabad vide Proceedings No.304/COEP/Exams/2023 are in clear violation of principles of natural justice and contrary to the order of this Court dated 05.10.2023 passed in W.P.No.26219 of 2023.

6. Without going into the merits of the speaking order dated 16.11.2023 the present Writ Petition is closed giving liberty to the petitioner to challenge the proceedings dated 16.11.2023 issued by the Controller of Examinations, Osmina University, Hyderabad vide Proceedings No.304/COEP/Exams/2023. However, there shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ
Petition, shall stand closed.

SD/- P.PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

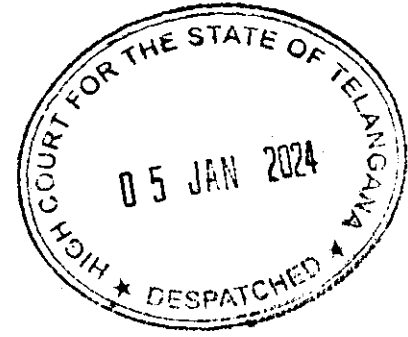
1. Two CCs to GP FOR HIGHER EDUCATION, High Court for the State of
Telangana, at Hyderabad [OUT]
2. One CC to SRI. CH. JAGANNATHA RAO, STANDING COUNSEL [OPUC]
3. One CC to SRI. MOHAMMAD ADNAN, Advocate [OPUC]
4. Two CD Copies

B M
GJ

§

HIGH COURT

DATED:04/12/2023



ORDER

WP.No.26219 of 2023

**CLOSING THE WRIT PETITION
WITHOUT COSTS**

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23/12/23