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W.P.No.521 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.521 of 2024

S.Abinesh

.. Petitioner

VS

1.Registrar

Ambedkar Law University,
Pombhozil, No.5, Dr.D.G.S. Dhinakaran Salai,
Chennai – 600 113.

2.The Controller of Examination,

Dr.Ambedkar Law University,
Tharamani Railway Station,
Ambedkar Nagar, Perungudi,
Chennai – 600 113.

3.The Principal,

Government Law College,
Thirumani salai,Chengalpattu – 603 303.

4.The Director,

Dr.Ambedkar Law University,
Tharamani Railway University,
Ambedkar Nagar,
Perungudi, Chennai – 600 113.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to consider petitioner's representation dated 03.11.2023 and 22.11.2023 for permit the petitioner to write exam.

For Petitioner : Mr.M.Jaisingh

For Respondents : Mr.Arun Kumar Rajan
R1, R3 & R4



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ORDER

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The petitioner, aged 24 years is a student of BA LLB Course in the Government Law College, Chengalpattu during the year 2016 - 2021. Post completion of the course, he had taken some examinations in May, 2023 but had failed in the Contract Law I and Interpretation of Statutes papers. He has made a representation on 03.11.2023 to all respondents seeking permission to re-attempt those papers in the supplementary examination to be conducted in May, 2024. That representation has not found favour of disposal as yet. Hence this writ petition seeking a mandamus to the authorities to consider his representation dated 03.11.2023 and reminder dated 22.11.2023 and permit him to write the supplementary examinations.

2. Mr.Arun Kumar Rajan, learned counsel, accepts notice for respondents 1, 3 & 4 and states that the Regulations do not permit a candidate to appear for examinations beyond a period of 2 years from the completion of the course, which in this case was in May, 2023.

3. This Court, however, finds that the Regulation in this regard is not cast-iron but provides for flexibility. Regulation 3 of '*UGC guidelines on determination of a Uniform Span Period within*



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which a student may be allowed to qualify for a degree' states as follows:-

"3. Ordinarily, no student should be given time beyond the extended period of two years. However, in exceptional circumstances and on the basis of the merits of each case university may allow a student one more year for completion of the programme."

4. The petitioner states that his father had passed away in May, 2021 and as a result, he has not been able to prepare for the examinations in a proper manner. The passing away of a parent is an exceptional circumstance and the petitioner has stated in his affidavit that some amount of responsibility for running the family had fallen on his shoulders after his father's demise. This position is certainly one to be taken note of.

5. Since the petitioner has already made representations before the authorities, the petitioner is permitted to appear before R1 on 01.02.2024 at 10.30 a.m., without expecting any further communication in this regard. The convenience of R1 in this regard has also been ascertained through respondent counsel. The petitioner will be accompanied by a copy of his representation as well as all other supporting documents.

6. The respondent counsel would submit that the matter is to be placed before the Syndicate thereafter for necessary action. Let the needful be done, as expeditiously as possible in the



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immediately ensuing meeting of Syndicate, bearing in mind that the supplementary examinations are to be conducted in May, 2024.

7. This writ petition stands disposed with directions as above. No costs.

11.01.2024

Index:Yes/No
Neutral Citation:Yes
ssm

To

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DR. ANITA SUMANTH,J.

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