



WEB COPY

W.P.No.26231 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.26231 of 2023

U.Karan

.. Petitioner

vs

1.The Principal
Office of the Principal
Nanthanam Government Arts and Science College
Nanthanam, Chennai – 35.

2.The Sub Inspector of Police,
T – 16, Nasarethpettai Police Station,
Chennai – 600 123.

3.Rakesh

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the 1st respondent to permit the Petitioner to write both internal and Final exam scheduled to be held in first week of September by considering that 3rd respondent compromised with Petitioner.

For Petitioner : Mr.B.Madeswaran
for Mr.V.Gopinath

For Respondents : Mr.U.Bharanidharan
Additional Government Pleader
for Mr.D.Ravichander,
Special Government Pleader (for R1)
Mr.S.Vinoth Kumar (for R2)
Government Advocate (Crl.Side)



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ORDER

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The petitioner, who is 24 years old now, was involved in a police case on 29.03.2019. He was doing his B.Com. in the Nandanam Government Arts and Science College. A complaint had been filed by R3 to the effect that in the course of a dispute between the students of Pachaiyappa's College and Nandanam Government Arts and Science College, there had been an altercation and several persons has been assaulted with beer bottles and knives. A case had come to be registered in T-16 Nasarethpetttai Police Station in Crime No.261 of 2019 under Section 341, 294(b), 324 and 506(2) of IPC.

2.Mr.S.Vinoth Kumar, learned Government Advocate (Crl. Side) for R2/Sub-Inspector of Police has filed a status report to the effect that investigation was conducted and charge sheet filed before Judicial Magistrate No.I, Poonamallee in C.C.No.445 of 2023 on 26.10.2023. The case was ended in acquittal of all the accused including the petitioner.

3.The prayer of the petitioner in this writ petition is for a mandamus directing the first respondent being the Principal of the Nandanam Government Arts and Science College to permit the petitioner to write the internal and final examinations that were scheduled to be held in the first week of September 2023. That date has long gone.



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4.Though the prayer is technically infructuous as on date, my attention is drawn to the representation that was made on 24.07.2023 where the petitioner has requested forgiveness and permission to write all pending examinations. That representation has not been disposed thus far.

5.To be noted, that there is no acknowledgement for receipt of that representation. But before me learned counsel for the petitioner would reiterate the prayer in that representation. He states that the petitioner is keen on completing the academic course and may be permitted to write and clear his examinations now. I believe that the petitioner must be given a second chance to complete his academic studies. He is thus permitted to approach R1 forthwith with the written request to attempt and clear all the papers for the B.Com course.

6.In considering the request of the petitioner as above, if and when made, the period between filing of FIR which was on 29.03.2019 and 06.04.2024 when the order of acquittal was passed must be eschewed as it is only on and from 06.04.2024 that the petitioner could justifiably have made such a request. Let the petitioner make the request, within a period of four (4) weeks, accompanied by a copy of this order.

7.Upon receipt thereof, R1 shall take steps immediately to permit



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the petitioner, without any demur, to attempt the papers that he had missed and clear the same, upon completion of formalities including payment of examination fee.

8.This writ petition is ordered as above. No costs.

04.06.2024

Index:Yes/No

Neutral Citation:Yes

Speaking Order:Yes

vs

To

1.The Principal

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DR. ANITA SUMANTH,J.

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