



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.38987 of 2025

M.Mani,
S/o Marimuthugounder,
Karuppureddiyur Post,
Mettur Taluk,
Salem District 636 401.

.. Petitioner

/versus/

1.The Registrar i/c,
Annamalai University,
Annamalai Nagar-608 002.

2.The Controller of Examinations,
Annamalai University,
Annamalai Nagar 608 002.

3.The Director,
Directorate of Distance Education,
Annamalai University,
Annamalai Nagar 608 002.

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned official communication of the second respondent made in No.A/DE/B1-2/2025, dated 12.08.2025 and quash the same, consequently, direct the respondents to permit the petitioner to write the arrear papers in Master in Labour Management (Enrolment No.2571050216, Course Code:257); and L.L.M.Branch-II-Labour &



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Industrial Relations and Administrative Law (Enrolment No.2581301143,
Course Code: 258).

For Petitioner :Mr.M.Padmarajagopalan

For Respondents :M/s H.Marry Sowmi for
ISAAC Chambers for R1 to R3

ORDER

A person, who desires to pursue education can do so at any age. The petitioner, who is now aged 69 years, has filed the present writ petition challenging the communication of the respondent-university dated 12.08.2025 denying him the benefit of writing the arrears examinations. The facts are, in the year 2010, the petitioner got enrolled himself to the post-graduate course, namely, Master of Labour Management (M.L.M.). It was offered for a duration of two years, starting from 2010 and ending in 2012. It is stated that the petitioner passed in four papers in first year, and the rest of the papers in the first year and the entire papers of the second year are in arrears. Thereafter in the year 2013, the petitioner enrolled himself for L.L.M. (Labour & Industrial Relations and Administrative Law). The duration of which was three years. In the said course, the petitioner has not passed in any paper and all the papers are in arrears. The arrears were on account of the fact that the petitioner did not sit for the examination and was treated as



absent.

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2. While so, in December 2023, the respondent-university announced a special examination for all the candidates, who were admitted from the year 2002 to 2014, so as to grant them One Time Opportunity to clear the arrears, so that they will be conferred with the diploma or degree, if they come out successful. Accordingly, the petitioner made an application to appear for all the arrear papers in respect of both the courses. The same is now rejected by the impugned order, stating that the petitioner should have successfully completed the degree within five years of admission.

3. Firstly, the said statement is erroneous inasmuch as the special examination is conducted only for old candidates and the five year duration is not applicable. Therefore, the impugned order has to be set aside and the petitioner is to be permitted to write the examination. The learned counsel for the petitioner would also submit that the examinations are now scheduled starting from 26th December 2025 and at least, the petitioner should be permitted to take up the ensuing examinations.



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4. Per contra, the learned counsel appearing on behalf of the respondent university would submit that even under the special examination, clause 3 makes it mandatory that the candidate should have completed the Personal Contact Programme (Theory and Practical) and only if they have completed, they are eligible to appear for these special examinations. The petitioner did not attend the Personal Contact Programme for the post-graduate of Labour Management(M.L.M.) and did not attend any of the Personal Contact Programme for the Labour and Industrial Relations and Administrative Law (LLM) course and therefore he is not eligible even to take the special examination.

5. In reply thereto, the learned counsel for the petitioner would submit that the Personal Contact Programme is the eligibility criteria, so as to enable the candidates to take the examination. In the case of the petitioner, the university had permitted the petitioner to take the examination and the petitioner was absent and therefore, he is in arrears. Now, the university cannot turn up and state that the petitioner is not at all eligible.



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6. I have considered the rival submissions made on either side and perused the material records of the case.

7. The impugned order rejects the case of the petitioner on the ground that the petitioner has not completed the degree within 5 years from the date of admission. The said order cannot stand because the special examination was conducted only to facilitate the candidates, who are in arrears and who are admitted in the course from the year 2002 to 2014 and therefore, the impugned order, on the face of it, is erroneous. The impugned order cannot be supported by a different reason by the learned counsel for the petitioner.

8. Therefore, under the normal circumstances, after quashing the impugned order, the matter has to be remanded to the respondent to consider the case of the petitioner with reference to the special qualifying examination and by directing the respondents to pass orders in accordance with law. However, if such a course is undertaken, again the respondents will pass a fresh order by giving the reason that the petitioner did not attend the Personal Contact Programme. With reference to the same, it is the contention of the petitioner that earlier the petitioner was



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permitted to write the examination. It may be so, however, even if the petitioner was permitted to write the examination earlier erroneously, that by itself will not make a non-existent fact as if it is existence.

9. The clause 3 of the special examination circular categorically states that the candidates, who have completed the compulsory Personal Contact Programmes, are only eligible to appear in the special examination. It is the specific case of the university that, after going through the records, the petitioner has not attended the said programmes. The petitioner has not produced any proof in respect thereto.

10. The petitioner is already 69 year old senior citizen and it would not be appropriate for this court to remand the matter to the respondents, only for it to be rejected again. Driving the senior citizens from pillar to post should be avoided as far as possible. The petitioner is very much interested in passing education. As stated supra, age is not a bar for any person to undertake educational pursuits if permitted under the relevant Rules. Therefore instead of remanding the matter, it would be more appropriate for the petitioner to apply afresh, if he wants to continue his education in any course in respect of both M.L.M. as well as L.L.M, if the courses are available. If the courses are available and if there is no any



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upper age limit, the dismissal of this writ petition or discontinuance of the petitioner will not in any manner come in the way of the petitioner undertaking the courses afresh.

11. Except for the above observations, no further relief can be granted to the petitioner in the present writ petition. Accordingly, this Writ Petition stands disposed of. No costs.

16.12.2025

Neutral citation: no

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To

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Annamalai Nagar-608 002.

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D.BHARATHA CHAKRAVARTHY, J.

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