

(2009) 06 MAD CK 0198

In the Madras High Court

Case No : Writ Petition No. 970 of 2009 and M.P. No. 1 of 2009

A. Manirathinam

APPELLANT

Vs

Anna University and Apollo Engineering College

RESPONDENT

Date of Decision : 15-06-2009

Acts Referred:

Citation : (2009) 06 MAD CK 0198

Hon'ble Judges : M. Jaichandren, J

Bench : Single Bench

Advocate : S. Thangavel, for the Appellant; Mani Sundar Gopal, for G.M. Mani Associates for Respondents 1 and 2, for the Respondent

Judgement

M. Jaichandren, J.—This Writ Petition has been filed praying for the issuance of a Writ of Mandamus to direct the respondents to permit the petitioner to write the examination of the B.E. (Mechanical) Course conducted by the 1st respondent University, from 21.1.2009.

2. The petitioner has stated that he had joined the first year B.E. (Mechanical) Course in the 3rd respondent college, under the N.R.I. quota. The petitioner had submitted all the necessary documents, as required by the respondents, before joining the course, under the NRI quota, except the Embassy Certificate, which has to be issued by the High Commissioner of India at London. Due to the non-submission of the said certificate, the 1st respondent had refused to issue the hall ticket to the petitioner for the examination, since his admission had not been approved.

3. Learned Counsel appearing on behalf of the petitioner had submitted that he had written the first year first Semester examination of the B.E. (Mechanical) Course which had commenced from 21.01.2009, based on an order of this Court, dated 20.01.2009, made in M.P. No. 1 of 2009. It has been further submitted that the petitioner had obtained the Embassy Certificate from the High Commissioner of India at London and he is ready to submit the same to the 1st

respondent. On such submission, the respondents are liable to grant the approval of the admission of the petitioner and to declare the results of the B.E. (Mechanical) Examination written by the petitioner pursuant to the order passed by this Court on 20.01.2009.

4. Mr. Mani Sundar Gopal, the learned Counsel appearing on behalf of the respondents 1 and 2 had submitted that on submission of the Embassy Certificate by the petitioner, the 1st respondent would consider the issue of approving the admission of the petitioner in the 3rd respondent college in the B.E. (Mechanical) Course. Only thereafter, the results of the examination written by the petitioner could be published.

5. In view of the submissions made by the learned Counsels appearing for the petitioner, as well as the respondents 1 and 2, the petitioner is permitted to submit the Embassy Certificate obtained by him from the High Commissioner of India at London to the 1st respondent, within a period of one week from to-day and on submission of the said Certificate, the 1st respondent is to consider and pass appropriate orders thereon, with regard to the granting of the approval of the admission of the petitioner in the 3rd respondent college and for the publication of the results of the first year first Semester Examination of the B.E. (Mechanical) Course, written by the petitioner, pursuant to the order passed by this Court on 20.1.2009, within a period of two weeks thereafter.

6. At this stage of the hearing of the Writ Petition, the learned Counsel appearing on behalf of the petitioner had also submitted that the 1st respondent may be directed to consider the request of the petitioner for writing the examination of the second semester of the first year B.E. (Mechanical) Course of the 3rd respondent college.

7. The learned Counsel appearing on behalf of the respondents 1 and 2 had submitted that if a representation is made by the petitioner, the same would be considered by the 1 and 2 respondents and appropriate orders would be passed thereon, expeditiously.

8. In view of the said submissions, the petitioner is permitted to make a representation, with regard to the second semester examination of the first year B.E. (Mechanical) Course of the third respondent college and on such representation being made, the 1st and the 2nd respondents are expected to consider and pass appropriate order thereon, expeditiously.

9. With the above directions, the writ petition stands disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.