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**(2014) 07 KAR CK 0128**

**In the Karnataka High Court**

**Case No :** Writ Petition No. 33643 of 2014 (EDN-EX)

B.V.S. Sastry

APPELLANT

Vs

The Registrar, Sikkim Manipal University Manipal

RESPONDENT

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**Date of Decision :** 21-07-2014

**Acts Referred:**

**Citation :** (2015) 1 KarLJ 543 : (2015) 4 KCCR 3442

**Hon'ble Judges :** A.S. Bopanna, J

**Bench :** Single Bench

**Advocate :** Nagendra Naik R., Advocates for the Appellant; N. Ravindranath Kamath, Advocates for the Respondent

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## **Judgement**

A.S. Bopanna, J.—Petitioner is before this Court seeking for issue of mandamus to direct the respondent-University to reschedule the examination of subject BAC 402 (Human Rights) or BAH 602 (Socio Economic and Cultural History of Medieval India). In the alternative the petitioner is seeking that he be permitted to write the examination on-line in the study center of the respondent-University. Petitioner had joined the distance learning programme at the respondent-University for the academic year 2011-2012 for Bachelors of Arts course. The petitioner has completed 6 Semesters. Though he has cleared all subjects of I, II and III Semesters, the petitioner had not cleared one subject, that is, BAC. 402 (Human Rights) of IV Semester and one subject in V Semester. The petitioner who is presently to write the examination of VI Semester has also paid the fees in respect of the remaining subjects of IV and V Semesters. The grievance of the petitioner is, that while arranging the timetable for the examination the respondents have indicated the date for the examination of the subject BAC 402 (Human Rights) of the IV Semester on the same day on which the examination of VI Semester subject is scheduled. In that view the petitioner is placed in a position where he will be unable to attend any one of the examinations. It is in that circumstance the petitioner contends that the examination of IV Semester be rescheduled or the petitioner be permitted to write the examination on-line.

2. Respondent-University has already considered this aspect of the matter and intimated the petitioner through their communication at Annexure-G. Learned Counsel for the respondent, on instructions, would submit that since the examinations are to be written in person, the clash of two subjects in the manner as indicated above is unavoidable keeping in view the number of courses offered by the University. It is also pointed out that the writing of the examination on-line would not be permissible. While taking note of these aspects of the matter, this Court will also have to keep in view the interest of students who are not before this Court. Therefore, if any direction is issued to respondents to reschedule the examination it may even effect the interest of other students who have already taken note of the timetable and are preparing for the said examinations and any postponement is likely to clash with the other examinations. Hence, the direction as sought cannot be issued.

In terms of the above, the petition stands disposed off.