
(2023) 08 KL CK 0046

In the High Court Of Kerala

Case No : Writ Petition (C) No.12775 Of 2021

Mohammed Muhsin T

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 04-08-2023

Acts Referred:

Citation : (2023) 08 KL CK 0046

Hon'ble Judges : Basant Balaji, J

Bench : Single Bench

Advocate : Anil S.Raj, K.N.Rajani, Radhika Rajasekharan P., Anila Peter, V.K Sunil, P.Sreekumar,

Final Decision : Disposed Of

Judgement

Basant Balaji, J

1. The petitioner has filed this writ petition, seeking the following reliefs:

i) to issue a Writ of Mandamus or order or direction to the 2 respondent to allow the petitioner to appear for the final year professional examination of BAMS course along with the examinations of failed subject of third year professional examination

ii) to issue a Writ of Mandamus or order or direction to the 3 respondent to issue necessary instructions to the Principal of Government Ayurveda Medical College, Tripunithara to accept the fees of final year professional examination of BAMS course notwithstanding the petitioner has not cleared all the subjects of third year professional examination; and

iii) to issue such other appropriate Writ, Order or direction as is deemed just and necessary in the circumstances of the case.

2. The petitioner was a student of BAMS (Bachelor of Ayurvedic Medical Sciences) course in Government Ayurveda College, Thripunithura, under the 2nd respondent university during the academic year 2016-2017. He wrote the 3rd

year examination in September 2019 and failed in one paper, he could not appear for the supplementary examination in December 2020 as he was laid up with fever.

3. As per the regulation/curriculum of the academic year 2016-2017, onwards, the failed student of Third professional the failed student of 3rd professional, who has passed all the subjects of the 1st and 2nd professional examinations shall be allowed to keep the term of the final professional class and the maximum 4 chances shall be given to pass 3rd professional examination within a period of maximum three years.

On 25.06.2021, an interim order was passed by this Court whereby respondents 2 and 3 were directed to permit the petitioner to appear for the final year BAMS examination provided the results will be published only after the petitioner clears all the previous years' examinations. Taking into consideration the interim order passed by this court, this writ petition is disposed of directing respondents 1 to 3 to publish the result, if the petitioner clears all the previous year's papers either regular or supplementary.