

(2011) 03 KL CK 0240
In the High Court Of Kerala
Case No : WP (C) No. 34699 of 2009 (F)

Rasheed S.A.P. and Leeshma Prabkar S.	APPELLANT
Vs	
The Registrar, Kannur University and The Controller of Examinations	RESPONDENT

Date of Decision : 08-03-2011

Acts Referred:

Citation : (2011) 03 KL CK 0240

Hon'ble Judges : Antony Dominic, J

Bench : Single Bench

Advocate : A. Mohamed Mustaque, for the Appellant; M. Saseendran, SC for Kannur University, for the Respondent

Judgement

Antony Dominic, J.—Petitioners are final year BDS students of Century Dental College affiliated to the Respondent University. As per the regulations of the University, only those, who have successfully passed Part-I final examination, can appear for Part-II examination. For the reason that they did not pass Part-I final examination, they could not appear for Part-II examination. In the said circumstance, this Writ Petition is filed.

2. Based on the interim order passed by this Court, already the Petitioners appeared for Part-II examination and the results are now withheld. During the pendency of the writ petition, the Petitioners also appeared for the failed subjects of Part-I final examination and passed those subjects also. Thus, as on date, the Petitioners have already passed Part-I final examination completely.

3. Going by the regulations, the stand taken by the University cannot be said to be illegal and the view taken by the University is consistent with the view taken by this Court in the judgment and decree dated 04.02.2011 in W.P(C) Nos. 23397 and 24764 of 2010. However, as at present, the Petitioners have passed Part-I final examination, and therefore, I am inclined to think that leniency should be shown to the Petitioners and hence I direct the University to declare the results of Part-II final examination undertaken by the Petitioners. The

University shall publish the withheld result as expeditiously as possible at any rate within three weeks of production of a copy of this judgment.