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**(2022) 06 KL CK 0295**  
**In the High Court Of Kerala**  
**Case No : Writ Petition (C) No. 2715 Of 2022**

Rohith M

APPELLANT

Vs

APJ Abdul Kalam Technical University

RESPONDENT

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**Date of Decision :** 24-06-2022

**Acts Referred:**

**Citation :** (2022) 06 KL CK 0295

**Hon'ble Judges :** Devan Ramachandran, J

**Bench :** Single Bench

**Advocate :** R.Krishna Raj, R.Pratheesh, E.S.Soni, Kumari Sangeetha S.Nair, Resmi A., Elvin Peter P.J., P.C.Sasidharan, Elvin Peter P.J., P.C.Sasidharan

**Final Decision :** Allowed

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## Judgement

Devan Ramachandran, J

1. The petitioner says that, on account of serious medical issues encountered by him, namely lack of immunity power, Asthma and Allergy, which was exacerbated by a serious disc prolapse, he could not write the 7th semester examination. He concedes that there was short fall in attendance on account of the afore reasons and that he has preferred Ext.P5 as early as on 22.10.2021 before the 3rd respondent – Principal of College, seeking its condonation, which has been forwarded to the University; and alleges that no action has been taken thereon, in spite of the fact that he has substantiated his plea with medical certificates.

2. The petitioner, therefore, prays that the University be directed to allow him to register for 7th semester examination of "Mechanical Production Engineering" and to complete the course without any impediment.

3. When I hear Smt.E.S.Soni – learned counsel for the petitioner on the afore lines, it is evident that the petitioner can be allowed to write the 7th semester examination or have its results published, only if his shortage of attendance is condoned as per law. This is not an issue that this Court can speak affirmatively on, particularly when the petitioner has already approached the competent

Authority through Ext.P5 for such purpose, which is now stated to be pending for the concurrence of the University.

4. I am, therefore, of the firm view that the petitioner must be allowed to write the examinations, which is stated to be scheduled on 27.06.2022, as a supplementary chance; with a further direction to the University to consider his application for condonation of delay, after hearing him and considering his medical certificates, with the empathy he deserves.

Resultantly, I order this writ petition and direct the University to allow the petitioner to take the 7th semester examinations - which is stated to be a supplementary chance - scheduled on 27.06.2022; with a further direction that the results of the same shall be published only after the Registrar takes a decision with respect to the condonation of delay, as applied for by him.

Consequently, the Registrar of the University is directed to take up the application of the petitioner, forwarded to the University by the Principal, and take an apposite decision thereon, after hearing the petitioner and after assessing his medical certificates; thus culminating in an appropriate order and necessary action thereon, as expeditiously as is possible, but not later than one month from the date of receipt of a copy of this judgment.

Needless to say, the petitioner's continuance in the course and the publication of the results in the 7th semester examination shall abide by the afore decision to be taken by the Registrar..