



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R. SWAMINATHAN**

W.P. (MD) No.1272 of 2019

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K.Manikandan

... Petitioner

Vs

1.The Chancellor,
Anna University,
Sardar Patel Road,
Guindy,
Chennai.

2.Controller of Examinations,
Anna University,
Chennai-600 025.

3.Director of Technical Education,
Sardar Patel Road,
Guindy,
Chennai.

4.The Revenue Divisional Officer,
Madurai,
Madurai District. ... Respondents

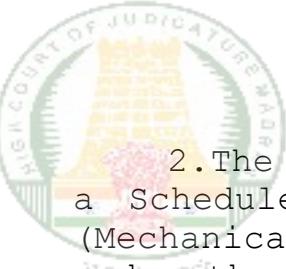
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to publish the petitioner's results for Semester I,II,III,IV,V for (BE Mechanical Engineering Course) and consequentially direct the respondents 1 to 3 to pay the accrued scholarship amount to the petitioner on the basis of representation dated 09.01.2019.

For Petitioner : Mr.R.G.Shankar Ganesh

For R1 and R2 : Mr.M.Rajarajan
Government Advocate

For R3 and R4 : Mr.K.Mu.Muthu,
Additional Government Pleader

ORDER



2. The writ petitioner belongs to malaivedan community. It is a Scheduled Tribes Community. The writ petitioner joined B.E., (Mechanical) Course in KGSL Institute of Technology. He joined under the reserved category. The petitioner had since completed his course also. But his results have not been declared so far. The scholarship amount to be paid to the petitioner has not been paid. This is because, the third respondent had not given a formal approval of the admission of the student under the reserved category in the course in question. The university will be in a position to grant relief to the petitioner only after getting approval for the petitioner by the third respondent. The third respondent had not given an approval only for the reason that there is a doubt regarding the genuineness of the community certificate issued in favour of the writ petitioner.

3. The writ petitioner had completed his course in the year 2016 itself. But the issue is hanging fire still. Therefore, on the last occasion, this Court directed that the petitioner shall appear before the university authorities as well as the Director of Technical Education, with all the original certificates. Accordingly, the petitioner had appeared before both the authorities on 03.04.2019. The petitioner also filed additional affidavit setting out what transpired on the said date.

4. This Court posed a specific question to the learned Government Advocate as to whether, the writ petitioner actually belongs to Scheduled Tribe Community namely Malaivedan community. Mr.K.Mu.Muthu, learned Additional Government Pleader submitted that the community certificate issued in favour of the writ petitioner is very much genuine. When the competent authority namely the Revenue Divisional Officer, Madurai has certified that the petitioner belongs to Malaivedan community, it is not for the other authorities to still doubt the same. In any event, the genuineness of the certificate issued in favour of the writ petitioner has been confirmed in this proceedings also.

5. Therefore, the third respondent is directed to communicate the approval of the writ petitioner's admission under the reserved category to the Anna University / the first respondent. Such an approval / communication will be positively issued by the third respondent within a period of one week from the date of receipt of a copy of this order. Upon receipt of such communication from the third respondent/ the respondents 1 and 2 shall immediately publish the results of the writ petitioner's examinations. The respondents 1 to 3 also disburse the accrued scholarship amount of the writ petitioner within a period of four weeks from today (30.04.2019).



6. Accordingly, this writ petition is allowed. No costs.

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Sd/-
Assistant Registrar (CO)

Sub Assistant Registrar (CS)

To

1. The Chancellor,
Anna University,
Sardar Patel Road,
Guindy,
Chennai.
2. Controller of Examinations,
Anna University,
Chennai-600 025.
3. Director of Technical Education,
Sardar Patel Road,
Guindy,
Chennai.
4. The Revenue Divisional Officer,
Madurai,
Madurai District.

+1 CC to M/s.R.G.SHANKAR GANESH, Advocate (SR-64440[F] dated 30/04/2019)

+1 CC to M/s.SPL GP (SR-65089[F] dated 02/05/2019)

PNN

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30.04.2019

KM/ (03.05.2019) 3P 7C