

P. Anand Narsimha Raj and ors. Vs. the Director, National Institute of Technology, Formerly Known as Regional Engineering College and ors.

P. Anand Narsimha Raj and ors. Vs. the Director, National Institute of Technology, Formerly Known as Regional Engineering College and ors.

SooperKanoon Citation : sooperkanoon.com/831772

Court : Chennai

Decided On : Nov-18-2004

Reported in : 2005(1)CTC761; (2005)1MLJ182

Judge : P.D. Dinakaran and ;S. Ashok Kumar, JJ.

Acts : Administrative Law

Appeal No. : W.A. Nos. 1 to 3 of 2004

Appellant : P. Anand Narsimha Raj and ors.

Respondent : The Director, National Institute of Technology, Formerly Known as Regional Engineering College and O

Advocate for Def. : D. Rajendran, Adv. for Respondent No. 3

Advocate for Pet/Ap. : Vaidyanathan, Adv.

Disposition : Appeal dismissed

Judgement :

ORDER

P.D. Dinakaran, J.

1. The appellants, who joined in part time B.E. Course in the second respondent College, filed writ petitions (W.P. Nos. 1042, 801 and 797 of 2004 respectively) for issue of a writ of Mandamus to direct the respondents to permit the appellants herein to write the examinations of V and VI Semester as arrears in the examination of VII Semester, and also to permit them' to attend the classes for VII Semester Examinations.

2. Concededly, permission was refused to the appellants to write the examinations of V and VI Semester as arrears in the examination of VII Semester as there was shortage in their attendance.

3. Under such circumstances, the learned Single Judge, while refusing to grant the relief as prayed for, gave liberty to the appellants to approach the authorities concerned and seek permission to sit along with the regular students for the said course, and dismissed the writ petitions (W.P. Nos. 1042, 801 and 797 of 2004 respectively) by order dated 28.9.2004, which is challenged in these writ appeals.

4. It is trite law that in a matter touching either the discipline or the administration of the internal affairs of a university, Courts should be most reluctant to interfere, vide Varanaseya Sanskrit Vishwavidyalaya v. Rajkishore Tripathi (Dr.), : (1977)ILLJ85SC .

5. Taking note of the fact that the appellants have already completed four semesters and the learned single Judge has rightly given liberty to the appellants to approach the authorities concerned, we find it improbable to give any further direction to the authorities concerned. Therefore, except to permit the appellants to make a representation to the authorities concerned within 15 days from the date of receipt of copy of this order seeking permission to sit along with the regular students for the said course, and to direct the authorities concerned, viz., the first and second respondents, to pass appropriate orders, considering the future of the appellants and permitting them to complete their course along with the regular students, within thirty days from the date of receipt of such representation, provided the appellants give an undertaking that they will attend the classes, if they are permitted to join the regular course, no further orders are required in these appeals.

These appeals are dismissed with the above observations. No costs. Consequently, W.A.M.P. Nos. 1 to 3 of 2004 are also dismissed.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com