



WP No. 14561 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF JULY, 2022

BEFORE

THE HON'BLE MR JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 14561 OF 2022 (EDN-RES)

BETWEEN:

PADMAVATHI T D
D/O DHARMAKRISHNA T R ,
AGED ABOUT 27 YEARS,
R/AT NO.109/22,
VENUS COUNTRY, HARAGGDE,
BENGALURU-560105

...PETITIONER

(BY SRI. BASAVARAJA PATEL G K.,ADVOCATE)

AND:

1. THE REGISTRAR
VISVESVARAYA TECHNOLOGICAL UNIVERSITY,
JNANA SANGAMA,
BELAGAVI-590018
2. THE REGISTRAR (EVALUATION)
VISVESVARAYA TECHNOLOGICAL UNIVERSITY,
JNANA SANGAMA,
BELAGAVI-590018
3. THE PRINCIPAL
KLE DR M.S SHESHGIRI COLLEGE
OF ENGINEERING AND TECHNOLOGY,
UDYAMBAG, BELAGAVI-590008

...RESPONDENTS

(BY SRI. SANTHOSH S. NAGARALE, ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF





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MANDAMUS DIRECTING THE RESPONDENT UNIVERSITY TO RECEIVE EXAMINATION FEE AND PERMIT THE PETITIONER TO WRIT THE EXAMINATION IN FAILED ONE SUBJECT IN THE 3RD SEMESTER I.E., MATDIP301-ADVANCED MATHEMATICS, ONE SUBJECT IN THE 4TH SEMESTER I.E., MATDIP401-ADVANCED MATHEMATICS-II AND ONE SUBJECT IN THE 5TH SEMESTER I.E., 10EC52-DIGITAL SIGNAL PROCESSING AND DIRECTED THE RESPONDENTS NO.1 TO 3 TO DECLARE THE RESULT OF THE PETITIONER.

THIS WP COMING ON FOR ORDERS, THIS DAY THE COURT MADE THE FOLLOWING:

ORDER

1. The petitioner is before this Court seeking for the following reliefs:
 - i. *Issue a writ of mandamus directing the respondent University to receive examination fee and permit the petitioner to writ the examination in failed one subject in the III Semester i.e., MATDIP301-Advanced Mathematics, one subject in the IV Semester i.e., MATDIP401-Advanced Mathematics-II and one subject in the V Semester i.e., 10EC52-Digital Signal Processing and directed the respondents No.1 to 3 to declare the result of the petitioner.*
 - ii. *Pass any other order as this Hon'ble Court deems fit in the facts and circumstances of the case including an order as to costs in the interest of justice and equity.*
2. The petitioner is stated to have passed diploma in Electronic and Communication in the year 2012-2013 and was admitted to Bachelor of Engineering for the



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academic year 2013-14 with respondent No.3-College.

3. Though the petitioner had passed all the subjects in VI to VIII Semesters, she failed one subject in the III Semester i.e., MATDIP301-Advanced Mathematics, one subject in the IV Semester i.e., MATDIP401-Advanced Mathematics-II and one subject in the V Semester i.e., 10EC52-Digital Signal Processing respectively. The petitioner orally requested the respondents to give permission for writing the examinations and for extension of time to complete her studies, however, the same was refused. Hence, the petitioner is before this Court seeking for the aforesaid reliefs.
4. Learned counsel for the petitioner by relying upon the orders passed by this Court in W.P.No.12875/2022 submits that similar orders could be passed in this matter since the petitioner is



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on the same footing, inasmuch as in that matter the petitioner who was a student of the academic year 2012-13, whereas the petitioner in the present matter is a student of the academic year 2013-14.

5. Taking the above into consideration, I am of the considered opinion that the order passed in W.P.No.12875/2022 would also be applicable to the petitioner in the present case also. If the petitioner is not permitted to appear for the examinations, the entire study which has been put forth by the petitioner till today will be rendered as not. As such, I pass the following:

::ORDER::

The writ petition is allowed. A Mandamus is issued directing the respondents -university to receive examination fee and permit the petitioner to write the examination in one subject in the III Semester i.e., MATDIP301-Advanced Mathematics, one subject in the IV Semester i.e.,



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MATDIP401-Advanced Mathematics-II and one subject in the V Semester i.e., 10EC52-Digital Signal Processing, respectively and declare the results of the petitioner.

**Sd/-
JUDGE**

GJM