

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 9TH DAY OF JANUARY 2015/19TH POUSHA, 1936

WP(C).No. 792 of 2015 (Y)

PETITIONER(S):

**MOHAMMED SHAMSU,
S4-MECHANICAL ENGINEERING-B,
VIDYA ACADEMY OF SCIENCE AND TECHNOLOGY,
THALAKKOTTUKARA, THRISSUR.**

BY ADV. SRI.C.A.ANOOP

RESPONDENT(S):

- 1. THE VICE CHANCELLOR,
CALICUT UNIVERSITY, THENJIPALAM,
MALAPPURAM DISTRICT-673635.**
- 2. PRINCIPAL,
VIDYA ACADEMY OF SCIENCE AND TECHNOLOGY,
THALAKKOTTUKARA, THRISSUR-680501.**

R1 BY SRI.SANTHOSH MATHEW,SC,

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 792 of 2015 (Y)

APPENDIX

PETITIONERS' EXHIBITS

**P1: COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE
R2 DATED 24/11/14**

**P2: COPY OF THE REPRESENTATION DATED 15/12/14 SUBMITTED BEFORE THE
R1**

RESPONDENTS' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K.VINOD CHANDRAN, J

W.P.(C).No. 792 of 2015

Dated 9th January, 2015

JUDGMENT

The petitioner is aggrieved with the refusal to participate in the 3rd year B.Tech examination for reason of shortage of attendance. The petitioner contends that he has filed an application for condonation of shortage of attendance as per Ext.P1 which has been forwarded to the University and pending consideration and he may be permitted to provisionally write the examination.

2. The learned Standing Counsel for the University, however, points out that, there is no possibility of condonation application being considered favourably, since the minimum required attendance for professional courses is 75% and the condonable limit for which power has been conferred on the Vice Chancellor is only

10%. The petitioner admittedly has only 48.74% as is revealed by the endorsement made by the Head of Department in Ext.P1. In such circumstances, there would be absolutely no reason why this Court should provisionally permit the petitioner to write the examination. The learned counsel for the petitioner contends that the petitioner would have to idle for one year to seek for re-admission in the 3rd year. However, that is a contingency which occurred by the default of the petitioner himself in not securing the required minimum percentage of attendance.

The writ petition would stand dismissed.

Sd/-

K.VINOD CHANDRAN
Judge

Mrcs

//True Copy//