

**THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA
RAO**

W.P.No.39818 of 2015

ORDER:

In this Writ Petition, the petitioners question the letter dt.01.12.2015 of the 2nd respondent detaining them in B.Tech first year first semester on the ground that their attendance was less than 65% during that semester.

2. Both the petitioners sought to point out that certain errors have been committed by the respondents in maintaining the attendance registers.

3. In the counter affidavit filed by respondents 1 and 2, it is stated that the attendance prepared and exhibited by the departments where the petitioners are undergoing the said course during the middle stages of the first semester, and the original attendance registers also pointed out that the petitioners do not have 65% required attendance to avoid detention. It is no doubt admitted that there was a typographical error committed by the DTP operator of the department in entering the number of classes conducted and attended by both the petitioners from the original attendance register of the concerned subject. But it is asserted that the petitioners would still not get the required percentage i.e 65% even if they are given the extra classes as per the extract filed by them. It is stated that the percentage of attendance of the 1st petitioner is 28%

and percentage of attendance of the 2nd petitioner is 44.25% only.

4. Having regard to the above, I am not inclined to hold that the impugned order detaining the petitioners in B.Tech first year first semester for the academic year 2015-16 on the ground of shortage of attendance is arbitrary and illegal. Since the petitioners are the students of a technical course and have secured admission for the said course by paying substantial fee, it is incumbent on them to attend classes regularly so that they can acquire the knowledge of the subjects in the respective courses. The petitioners having failed to do so cannot blame the 2nd respondent and try to take advantage of the DTP operator's mistake in uploading the attendance on the web site of the 1st respondent college. Therefore, I do not find any merit in the Writ Petition.

5. The Writ Petition is accordingly dismissed. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 14.12.2015

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DATED: 14.12.2015

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