

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.22910 of 2015

ORDER:

The petitioner is a student of B. Tech course in the second respondent-college, which is an autonomous institution.

He completed the first semester of first year during the academic year 2014-15 and was promoted to the second semester of first year. Unfortunately, the petitioner met with an accident on 20.03.2015, as a result of which, he could not attend all the classes. The second respondent-college displayed a circular on 19.06.2015 showing the attendance of the petitioner as 52.50% during the second semester of first year course for the academic year 2014-15 and therefore, the petitioner was not permitted to attend the second semester examination. Challenging the action of the second respondent-college in not calculating the attendance of the petitioner properly, the present writ petition is filed.

A counter affidavit is filed by the second respondent-college stating that they could not conduct classes for 119 periods, however, they conducted classes during the second semester for 500 periods and out of which, the petitioner attended 206 periods only. The percentage of petitioner's attendance came to 41.20%. After adding 119 periods that were lost, the total number of classes attended by the petitioner came to 325 as against the total number of classes of 619. Thus, the percentage of petitioner's attendance came to 52.50%. Had he secured 65% attendance, 10% attendance, which is required to reach 75%, can be condoned only by the Academic Committee. Since the petitioner did not secure 65% attendance, the question of condoning 10% attendance does not arise.

This was disputed by the petitioner by filing a reply affidavit stating that the total duration of the course was 121 days, out of which the classes were held only for 86 days. If correct calculation is made, he would get 74.94% attendance, but the second respondent has wrongly calculated the attendance.

The learned counsel for the second respondent-college submits that the petitioner has made calculation on the basis of six classes per day, whereas they have been conducting seven classes per day.

The number of classes conducted by the second respondent-college and the dispute made by the petitioner cannot be decided in these proceedings. However, since the career of the petitioner is involved, this Court deems it fit to entrust the responsibility of verifying the correctness or otherwise of the calculation made by the second respondent-college to the Registrar of first respondent-University to decide the issue. The petitioner shall submit a representation to the Registrar of first respondent-University within one week from the date of receipt of a copy of this order denying the calculation made by the second respondent-college and his claim of attendance with a copy to the second respondent-college. The representative of the second respondent-college shall make available along with the required record before the first respondent-University and the first respondent-University shall fix a date by intimating through mobile numbers and decide the dispute within one week thereafter in the presence of the petitioner as well as the representative of the second respondent-college and the petitioner shall abide by the said decision.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

A.

RAMALINGESWARA RAO, J)

Date: 11.09.2015

Note: Issue CC in two days.

(B/o.) Isn

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