

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 8832 of 2016

ORDER:-

Heard learned counsel for the petitioner and learned standing counsel for Osmania University appearing for the 1st respondent.

This writ petition, under Article 226 of the Constitution of India, is filed seeking a Writ of Mandamus declaring the action of the respondents in not permitting the petitioner to appear for 2nd year B.A. examinations commencing from 18.03.2016 on the ground of shortage of attendance, as arbitrary and illegal.

It is the case of the petitioner that she is studying 2nd year B.A. in the 2nd respondent-College. She was treated by Dr. M. Srinivasa Babu of Gandhi Hospital, Secunderabad, for severe lower back pain for the period from 19.07.2015 to 16.02.2016, and thereby, she could not attend the college. On account of shortage of attendance, the 2nd respondent is not permitting her to appear for the 2nd year BA examinations.

Learned counsel for the petitioner submits that it is only on account of ill-health, the petitioner was not able

to attend the college and therefore the authorities ought to have taken into consideration the ill-health of the petitioner and exempted from removing her name from the rolls of the attendance.

It is well settled by a Division Bench judgment of this Court that attendance of 65% is mandatory to appear for examinations and that as the University has discretion to give concession up to 10% only i.e., from 75% to 65%, it cannot further reduce the same. In that view of the matter, I see no merit in the writ petition and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed.

CHALLA KODANDA RAM, J

17th March, 2016
cbs

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