

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.38268 OF 2015

ORDER:

The petitioner challenges Letter No.VRSEC/EXAMS/2015 dated 18.11.2015 of the 1st respondent. Through the impugned letter, the 1st respondent directed detention of petitioner in 4/4 B.Tech VII Semester. The petitioner, a student of 1st respondent college, though appears to be active in co-curricular activities and not conforming to the discipline of the campus, it appears has voluntarily invited the impugned letter.

Learned counsel appearing for the parties either in the anxiety to canvass injustice meted out to petitioner on one hand or on the other hand, the primacy claimed by the college in matters of academics, discipline and reputation of the college have made submissions in detail in support of their respective contentions.

With the assistance of learned counsel appearing for 1st respondent, I have carefully considered the reply of the 2nd respondent filed in the writ petition. In my considered view, it appears to this Court that the grievance of the petitioner need not and could not have been brought this far for adjudication by this Court. The academic calendar as well as guidelines for autonomous colleges provided redressal mechanism to a person aggrieved by a decision taken by the respondents. During the course of hearing in the forenoon when the suggestion was made to refer the grievance of petitioner to in-house mechanism, the learned counsel have requested time till forenoon to get instructions from respondents and submit on the available mechanism for redressal of grievance(s) of students.

At the time of hearing in the afternoon, the attention of the Court is drawn to Academic Regulations for B.Tech and Guidelines for Autonomous Colleges. The relevant portions read thus:

““Grievance Appeal Committee” (General)
constituted by the Principal shall deal with all
grievances pertaining to the

academic/administrative/disciplinary matters.”

“Academic Council:

The Academic Council will be solely responsible for all academic matters, such as, framing of academic policy, approval of courses, regulations and syllabi, etc. The Council will involve faculty at all levels and also experts from outside, including representatives of the university and the government. The decisions taken by the Academic Council will not be subject to any further ratification by the Academic Council or other statutory bodies of the university. The composition and functions of the Academic Council are given in Annexure IV.”

Mr. Challa Gunaranjan appearing for respondents 1 and 2 submits that the petitioner can be given liberty to make representation to the Grievance Appeal Committee and the representation so made to the Grievance Appeal Committee will be considered and decided by the Academic Council constituted under the guidelines. The statement is placed on record.

Therefore, I am satisfied that by this order the writ petition can be disposed of.

The petitioner is given one week time from today to make comprehensive representation on the aspects alleged against him, the assurances he intends to give and prays the Academic Council to correct and guide him to B.Tech (EEE) in 1st respondent college. The petitioner is given liberty to place on record documents or such other material he intends to rely upon for considering and passing appropriate orders to regularize his study at 1st respondent college. On receipt of such representation and keeping in mind the future of a student, this Court expects the Academic Council to examine the grievance and do the needful, which does not in any way harm the discipline and academic standards of 1st respondent college. It is made clear that in the event the Academic Council considering and passing appropriate orders, they are free to impose conditions for compliance by the petitioner and the petitioner is bound to adhere to

the conditions to derive benefit of such an order. It is observed that the Academic Council gives an opportunity of hearing to the petitioner and one of his parents at the time of consideration. The said exercise shall be completed within a further period of one week from the date of receipt of representation from the petitioner. It is hoped and trusted that the Academic Council considers all matters necessary for taking a decision and with magnanimity and parental approach takes a suitable decision within their discretion and convenience.

The writ petition is disposed of accordingly. No order as to costs.

S.V.BHATT,J

Date:28.03.2016

Note:

C.C. forthwith.

B/o.

Stp