

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.23368 of 2017

ORDER:

Heard learned counsel for the petitioner and also Sri Madhusudhan Reddy, learned standing counsel for respondent Nos.1 to 4 and perused the prayer in the writ petition with the supporting affidavit and the written instructions received by the learned standing counsel supra.

The prayer in the writ petition reads as follows:

“To issue an appropriate order or direction, more particularly one in the nature of writ of mandamus by declaring the action of the respondents 2 & 3 in not allowing the petitioner to pay examination fee and to appear for examination for LLM, II Semester Regular Examinations, July, 2017 as illegal, arbitrary, malafide, contrary to procedure established by law and against to the principles of natural justice apart from being violative of Article 19(g) of the Constitution of India and consequently direct the respondents to receive examination fee and allow the petitioner to appear for the examination for LLM, II Semester Regular Examinations, July, 2017 in interest of Justice and pass such other order or orders.”

It is the submission in support of the affidavit to the prayer in the writ petition that under the guise of short fall of attendance despite he was regularly attending, the fee is not accepting and not permitting to write the examinations scheduled to be commenced from 17.07.2017.

As per the written instructions, he is totally absent from perusal for the entire semester-II to attend the 2nd semester examinations. It is not a short fall in few days to consider by exercising any discretionary relief to save the academic year when

the petitioner did not even attend, the question of this Court directing to permit for examination including subject to final result of the writ petition or to keep it pending does not arise.

Accordingly and in the result, the writ petition is disposed of by giving liberty to the petitioner to make a representation for future attending of the examination to the respondents and the respondents to consider on such compliance to be made as per the University Rules or Regulations.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

Date: 14.07.2017
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JUSTICE Dr. B.SIVA SANKARA RAO

