

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.11.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.29882 of 2018 and
W.M.P. Nos.34888 and 34889 of 2018

S.Dhayalan

.. Petitioner

Versus

1.The Registrar,
Tamil Nadu Dr. Ambedkar Law University,
Poompozhi,
No.5, Dr.D.G.S.Dinakaran Salai,
Chennai-600 028.

2.The Principal,
Government Law College,
Marudhamalai Road,
Coimbatore-641 046.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorari Mandamus to call for the records relating to the impugned order of re-do list issued by the second respondent dated 02.11.2018 which was pasted in the notice board after the college hours placing the petitioner as re-do student and to quash the same and consequently direct the respondents to permit the petitioner to attend the sixth semester classes of B.A.L.L.B. course.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.L.P.Shanmugha Sundaram,
Standing Counsel for R1

Mrs.P.Rajalakshmi,
Additional Government Pleader for R2

ORDER

The petitioner has come up with this writ petition challenging the impugned order dated 02.11.2018 passed by the second respondent, placing him as a re-do student and seeking a direction to the respondents to permit him to attend the sixth semester classes of B.A.L.L.B. course.

2.The learned counsel appearing for the petitioner submitted that pursuant to the Provisional Allotment Order, the petitioner joined the 2nd respondent college for the academic year 2016-17 and now he was studying in the third year course. According to him, the petitioner paid the tuition fees on 20.07.2018 for the fifth semester and the second respondent College issued a receipt to that effect. Learned counsel would further submit that the petitioner has also paid necessary fees for the fifth semester for the purpose of writing examinations, which was scheduled to be held from 09.11.2018 onwards. While so, the petitioner was informed by the second respondent that his name was in the re-do list dated 02.11.2018 and the same was affixed in the notice board. According to the learned counsel for the petitioner, the petitioner's name has been wrongly added in the impugned list though he has got the required attendance and paid the necessary fee as per regulations of the respondents. Therefore, the petitioner requested the second respondent to permit him to write the examination by providing the hall ticket, but the same was refused. Hence, the petitioner is before this Court.

3.Reiterating the counter affidavit filed on behalf of the second respondent, the learned Additional Government Pleader appearing for the second respondent submitted that the petitioner has to secure 75% of attendance as per the regulations of the Tamil Nadu Dr.Ambedkar Law University, Chennai. She would further submit that out of 90 days, the petitioner has attended the classes only for 35 days, which constituted 38% of attendance, whereas the requirement is 75% and he has not even reached the stage of 65% for condonation of attendance. Therefore, the request of the petitioner to permit him to write the fifth semester of B.A.L.L.B. Course is legally not possible.

4.Since the petitioner has secured only 38% of attendance, which falls even below the 65% for condonation of attendance, this Court finds no merit in this petition. Therefore, this writ petition fails and the same is dismissed. Consequently, connected W.M.Ps. are closed. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

vga

To

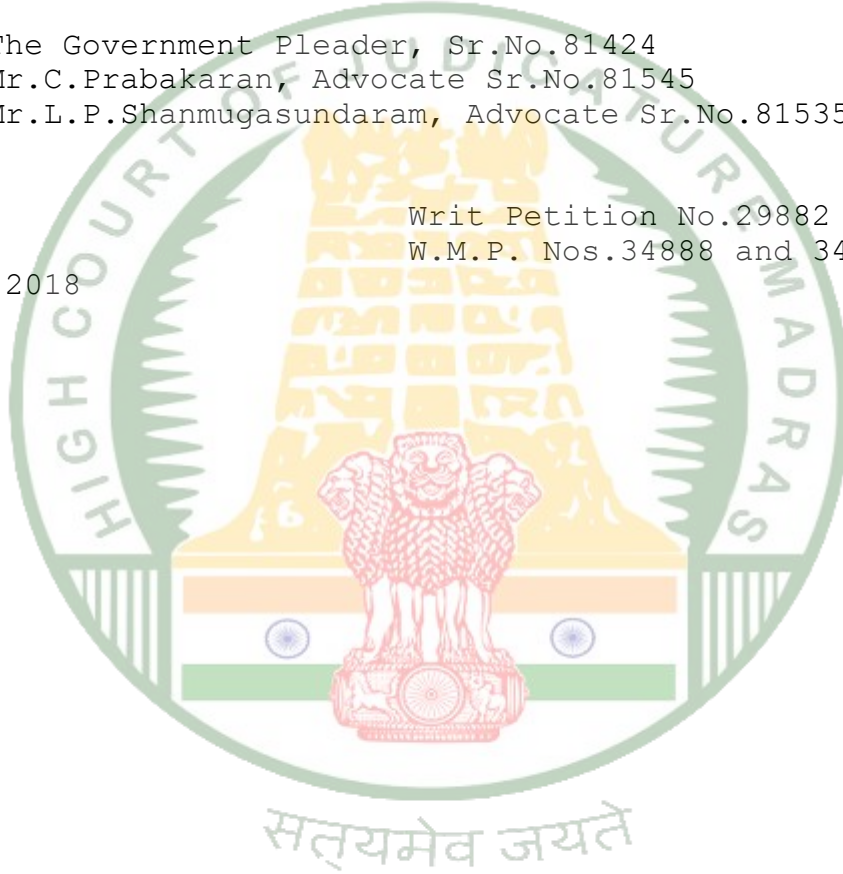
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Coimbatore-641 046.

+1 cc to The Government Pleader, Sr.No.81424
+1 cc to Mr.C.Prabakaran, Advocate Sr.No.81545
+1 cc to Mr.L.P.Shanmugasundaram, Advocate Sr.No.81535

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CSL/13.12.2018



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