

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2018

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.Nos.30063 and 30069 of 2018

K.Dhanush Kumar
B.Dhanush

.. Petitioner in W.P.No.30063/18
.. Petitioner in W.P.No.30069/18

Vs

1.The Tamil Nadu Dr.Ambedkar Law University,
Rep. By its Registrar,
MGR Salai, Perungudi,
Chennai - 600 096.

2.The Director (UG Courses),
School of Excellence in Law,
The Tamil Nadu Dr.Ambedkar Law University,
Rep. By its Registrar,
MGR Salai, Perungudi,
Chennai - 96.

.. Respondents

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the respondents to permit the petitioners to write the third semester examinations for B.B.A.L.L.B. (Hons) and B.Com.L.L.B (Hons) Degree Examinations, respectively, November, 2018, to be held on 15.11.2018 (law of Crimes) and 19.11.2018 (Political Science).

For petitioner : Mr.P.Vasanth

For Respondents : Mr.V.M.G.Ramakkannan
standing counsel

COMMON ORDER

The petitioners have filed these writ petitions seeking a direction to the respondents to permit them to write the third semester for BBA LLB (hons) and B.Com. LLB (Hons) respectively scheduled to be held on 15.11.2018 and 19.11.2018.

2. Learned counsel for the petitioners submitted that the petitioners are the students of second year B.B.A. L.L.B.

(Hons) and B.Com. L.L.B (Hons) respectively and they are bound to write the third semester, however, they were not issued with hall-ticket to write the examination on the ground that they have secured only 44% and 46% of attendance respectively as against 75% of attendance. Since the petitioners suffered fever and respiratory infection, they could not attend the classes promptly for the third semester. It is further submitted that ever since the date of admission, they have been regular to the College and obedient, therefore, a direction may be given to the respondents to permit them to write the third semester examination.

3. On the other hand, Mr.V.M.G.Ramakkannan, learned standing counsel, accepting notice for the respondents, submitted that the petitioners have wrongly mentioned that they have secured 44% and 46% in the present academic year, as they have secured only 27% and 33% of attendance respectively, as against the requisite 75% of attendance, therefore, they are ineligible to write the third semester.

4. It is settled law that in the matter of education, more particularly in the matter of entitlement to take part in the examination, the minimum required attendance should be strictly adhered to. The shortage of attendance can be a valid ground for denial of permission to take part in the examination. In the cases on hand, admittedly, the petitioners have not secured the minimum attendance of 75%. As requested by the learned counsel for the petitioners, even if the condonation is applied, they will have to secure atleast 65%. But, admittedly, the petitioners have secured only 27% and 33% of attendance, therefore, they are not entitled to sit for the third semester. Thus, on this score, I do not find any merit in the writ petitions filed by the petitioners. Accordingly, the writ petitions are dismissed as devoid of any merit. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1.The Registrar,
The Tamil Nadu Dr.Ambedkar Law University,
MGR Salai, Perungudi,
Chennai - 600 096.

2.The Director (UG Courses),
School of Excellence in Law,
The Tamil Nadu Dr.Ambedkar Law University,
MGR Salai, Perungudi,
Chennai - 96.

+2cc to Mr.V.M.G.Ramakkannan, Advocate sr.no.77748 & 77749

W.P.Nos.30063 and
30069 of 2018

nr 30/11/2018



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