

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No. 14737 of 2019

and

W.M.P.No. 14727 of 2019

C.Hariharan

... Petitioner

Versus

1.The Registrar,  
Tamil Nadu Dr.Ambedkar Law University,  
Poompozhi, No.5, Dr.D.G.S. Dhinakaran Salai,  
Chennai - 28.

2.The Controller of Examinations,  
Tamil Nadu Dr.Ambedkar Law University,  
Poompozhi, No.5, Dr.D.G.S. Dhinakaran Salai,  
Chennai - 28.

3.The Principal,  
The Central Law College,  
Yercaud Main Road, Kannankurichi,  
Salem - 636 008.

4.The Secretary,  
The Central Law College,  
Yercaud Main Road, Kannankurichi,  
Salem - 636 008.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of Writ of Mandamus, directing the respondents to permit the petitioner to write the 5<sup>th</sup> and 6<sup>th</sup> Semester which is held on 13.05.2019 (Law and Property) and the forthcoming exams on 16.05.2019 (Constitutional Law-II), 18.05.2019 (Company Law) and 21.05.2019 (Labour Law-I) further to pursue his 7<sup>th</sup> Semester Course.

For Petitioner: Mr.D.Ramesh Kumar  
for Ms.R.Saraswathi

For R1 & R2 : Mr.V.M.Ramakannan  
For R3 & R4 : Mr.A.Tamilvanan

## O R D E R

This Writ Petition is filed by a law college student of Central Law College, Yercaud Main Road, Kannankurichi, Salem, challenging the order passed by the third respondent / College Authority suspending the petitioner for a period of two months, as a result of his continuous misbehaviour. As a consequence, the petitioner was not permitted to take up the 5<sup>th</sup> and 6<sup>th</sup> Semester Examination and to pursue 7<sup>th</sup> Semester Course.

2. On perusal of the enquiry report submitted by the disciplinary committee, due to the alleged misbehaviour, indiscipline and other attitude of the petitioner herein, the disciplinary committee forced the college management to pass suspension order.

3. After hearing the counsel for the petitioner, this Court thought that some leniency may be shown to the petitioner to mend his way and to behave properly in the college campus and to continue his course without showing any disrespect to the faculty.

4. The learned counsel for the petitioner readily accepted and also filed an affidavit of undertaking filed by the petitioner tendering his unconditional apology for his misbehaviour committed in the college campus and requested the Court to permit him to continue his course from 7<sup>th</sup> semester.

5. However, on perusal of the records, this Court finds that, the petitioner has not acquired adequate attendance to continue the 7<sup>th</sup> semester course. Further, due to lack of attendance, the petitioner has to re-do the 3<sup>rd</sup> year course consisting of 5<sup>th</sup> and 6<sup>th</sup> semesters. Further, the petitioner cannot be permitted to write his 5<sup>th</sup> and 6<sup>th</sup> semester examinations, as the same was over during the month of May 2019.

6. In the light of the above facts, the third respondent herein is directed to admit the petitioner in the 3<sup>rd</sup> year to redo his 5<sup>th</sup> and 6<sup>th</sup> semesters. The fourth respondent shall not insist for payment of tuition fees. This concession is shown at request of the learned counsel for the petitioner and the petitioner should not misuse the same at any point of time. It is made clear that the tuition fees concession is granted to the petitioner taking note of his financial condition and the unconditional apology tendered by the petitioner. This cannot be a precedent for any other future cases.

7. With the above directions, this Writ Petition is disposed of. No cost. Consequently, the connected Miscellaneous Petition is also closed.

arb

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Registrar,  
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Salem - 636 008.
- 4.The Secretary,  
The Central Law College,  
Yercaud Main Road, Kannankurichi,  
Salem - 636 008.

+1cc to Mr.A.Tamilvanan, Advocate, SR.No.57932  
+1cc to Mr.D.Ramesh Kumar, Advocate, SR.No.57865  
+1cc to Mr.V.M.G.Ramakkannan, Advocate, SR.No.58397

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Kak(19/08/2019)