



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 31736 of 2019

Hathipathi

... Petitioner

-vs-

1. The Principal,
Sri Jayendra Saraswathy Maha Vidyalaya
College of Arts and Science,
SIHS Colony Road,
Coimbatore - 641 005.

2. The Joint Director of College Education,
Coimbatore Region,
Coimbatore - 18.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First Respondent to allow him to attend 2nd year B.Com., C.A. class during the academic year 2019-2020 in the First Respondent's College.

For Petitioner : Mr. C. Deivasigamani

For Respondents: Mr. T. Senthilkumar (for R1)

Mr. A. Ansar,
Government Advocate (for R2)

O R D E R

Heard Mr. C. Deivasigamani, Learned Counsel for the Petitioner, Mr. T. Senthikumar, Learned Counsel for the First Respondent and Mr. A. Ansar, Learned Government Advocate appearing for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner is a student in II year B.Com., (C.A.) class for the academic year 2019-2020 in the College of the First Respondent. According to the Petitioner, he had not attended the classes due to medical treatment he had undergone and this Writ Petition has been filed for directing the First Respondent to allow him to attend II year B.Com., (C.A.) class during the



academic year 2019-2020.

3. The First Respondent has filed Counter Affidavit dated 04.01.2020 stating that on 12.06.2019, there was a wordy duel between the Petitioner and his classmates and enquiry had been conducted into that incident. Thereafter, the Petitioner on his own accord did not attend classes for more than 40 days on his own accord. It is further stated that on 09.10.2019, it was explained to the Petitioner and his parents that as per the norms of the university for attendance, a student has to secure minimum 55% attendance in a semester so as to join the next semester, but in the case of the Petitioner, out of 90 working days, he was present only for 11 days, which is only 14.1% and it would not be adequate to permit him to write university examination or join next semester.

4. Having regard to the fact that minimum attendance is required in order to maintain proper standards of education, the prescribed norms in that regard have to be strictly adhered and no exception could be taken to the same. As the cogent reasons assigned by the respondents deserve acceptance, there is no justification to entertain the claim made by the petitioner in the Writ Petition.

5. Accordingly, the Writ Petition, which lacks merits, is dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

Vjt

To

The Joint Director of College Education,
Coimbatore Region, Coimbatore - 18.

+1cc to Mr.T.Senthil Kumar, Advocate, S.R.No. 2516
+1cc to Mr.C.Deivasigamani, Advocate, S.R.No. 2609
+1cc to the Government Pleader, S.R.No. 3492

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JP(CO)
GN(11/02/2020)