



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2022

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CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.4087 of 2022

&

W.M.P.Nos.4221 and 4223 and of 2022

E.Jothiragawan

... Petitioner

Vs

1. The State of Tamil Nadu
rep. by its Secretary
Higher Education,
Secretariate, St. George Fort,
Chennai - 600 009.
2. The Director,
Anna University,
Guindy, Chennai.
3. The Principal,
Nandha Engineering College,
Perundurai, Erode District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari calling for the records of the 3rd respondent in Ref.No.Nil dated 25.01.2022 and quash the same.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents : Mr.C.Jayaprakash
Government Advocate - R1
Mr.V.Kadhirvelu - R3
No appearance - R2

O R D E R

Heard Mr.B.Gopalakrishnan, learned counsel for the petitioner, Mr.C.Jayaprakash, learned Government Advocate for R1 and Mr.V.Kadhirvelu, learned counsel for R3. There is no appearance for R2, even though the description of R2 is printed in the cause list.



2.The petitioner challenges order dated 25.01.2022 rejecting the request of the petitioner to write the first year M.B.A. examinations. The reason for rejection is that the first semester comprises of 59 working days, of which, the petitioner has attended only 8 days.

3.Since 75% of attendance is mandatory for the end-Semester examinations and the petitioner has attendance of only 13%, he was put to notice that he was not eligible to write the end Semester examinations.

4.The explanation put forth by the petitioner is that he had been arrested on the basis of a complaint made before the All Women Police Station, Erode in Crime No.36 of 2021 for offences under Section 376 and 417 of the Indian Penal Code.

5.He was remanded to judicial custody on 09.11.2021 and had been enlarged on bail only on 21.12.2021, during which period, he, admittedly, had not attended the classes.

6. The Attendance policy of the Institution has not been challenged and rightly so, and there is no proximity in the same. Thus, I see no avenue for this Court to come to the rescue of the petitioner, in light of the admitted deficiency in attendance.

7. This Writ Petition stands dismissed. No costs. Connected Miscellaneous Petitions are also dismissed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

s1

To

1. The Secretary
The State of Tamil Nadu
Higher Education,
Secretariate, St. George Fort,
Chennai - 600 009.



2. The Director,
Anna University,
Guindy, Chennai.

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+1cc to Mr.B.Kumarasamy, Advocate SR.No.25184

+1cc to Government Pleader SR.No.25088

W.P.No.4087 of 2022

&

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MT (CO)

GMV (27/04/2022)