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W.P.(MD)No.12627 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.12627 of 2022

and

W.M.P. (MD)No.8942 of 2022

Antony Allwin Aswin Victoria

... Petitioner

Vs.

- 1.The Registrar,
Manonmaniam Sundaranar University,
Abishekapatti,
Tirunelveli.
- 2.The Controller of Examination,
Manonmaniam Sundaranar University,
Abishekapatti,
Tirunelveli.
- 3.The Director of Collegiate Education,
E.V.K.Sampath Building, 9th floor,
College Road,
Chennai.
- 4.The Principal,
Kamaraj College,
Thoothukudi.

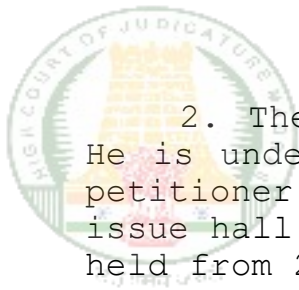
... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 & 2 to issue a hall ticket for enabling the petitioner to write the examination of VI semester in his B.Com degree course in the college of 4th respondent which is scheduled to be commenced from 22.06.2022 based on the payment of examination fee paid by him on 24.05.2022.

For Petitioner	: Mr.R.Anand
For R1 & R2	: Mrs.Jesima Yasmine for M/s.Ajmal Associates
For R3	: Mr.V.OM.Prakash Government Advocate

O R D E R

Heard the learned counsel appearing for the petitioner, the learned Standing Counsel appearing for R1 & R2 and the learned Additional Government Pleader appearing for R3.



2. The petitioner is a student of Kamaraj College, Tuticorin. He is undergoing B.Com course. He is in the final semester. The petitioner has come to this Court for directing the respondents to issue hall ticket so that he write the 6th semester examination to be held from 22.06.2022.

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3. On notice, the learned standing counsel appearing for the University, on instructions, states that the petitioner is not having the requisite attendance. She produced a copy of the circular dated 08.10.2018 as per which students who secure attendance between 60% and 74% in a particular course are eligible for condonation, if there are genuine reasons. If the attendance is below 60%, it cannot be condoned. The petitioner is having only 48% attendance. Therefore, it cannot be condoned.

4. I find considerable force in the said contention of the learned standing counsel appearing for the University. It appears that the petitioner's mother was suffering from cancer as a result of which, the petitioner could not attend the classes fully. While the Court can fully sympathise with the condition of the petitioner, no writ of mandamus can be issued contrary to law. The petitioner due to domestic situation could not attend the classes. But that cannot be a ground for issuing the writ of mandamus. No case is made out for interference.

5. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

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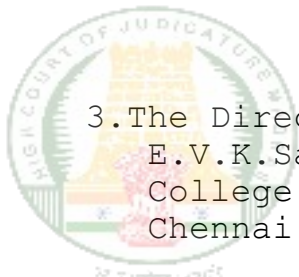
Sub Assistant Registrar(CS)

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To

1.The Registrar,
Manonmaniam Sundaranar University,
Abishekapatti,
Tirunelveli.

2.The Controller of Examination,
Manonmaniam Sundaranar University,
Abishekapatti,
Tirunelveli.



3.The Director of Collegiate Education,
E.V.K.Sampath Building, 9th floor,
College Road,
Chennai.

4.The Principal,
Kamaraj College,
Thoothukudi.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-27612[F] dated
23/06/2022)

+1 CC to M/s.SPL.GP (SR-27441[F] dated 22/06/2022)

W.P. (MD)No.12627 of 2022
21.06.2022

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