



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED **21.02.2023**

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 4019 of 2023

B.Hariharan

... Petitioner

..Vs..

1. The Registrar
Bharathiar University
Maruthamalai Road
Coimbatore – 641 046.
2. The Controller of Examinations
Bharathiar University
Maruthamalai Road
Coimbatore – 641 046.
3. The Principal
PSG College of Arts and Science
Avinashi Road, Peelamedu
Coimbatore – 641 014.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the respondents 1 and 2 to consider and pass orders on the petitioner representation dated 25.01.2023



submitted to direct the PSG College of Arts and Science, Peelamedu, Coimbatore, the 3rd respondent herein to allow the petitioner to continue his 3rd year studies of B.VOC (Banking, Stock & Insurance) Course in PSG College of Arts and Science, Peelamedu, Coimbatore, in the current academic year 2022-23.

For Petitioner	:: Mr. V.R.Appaswamee
For RR 1 & 2	:: Mr. C.Vgneswaran
For 3 rd Respondent	: Mr.T.Seenivasan Special Government Pleader

ORDER

The Writ Petition has been filed in the nature of Mandamus seeking a direction against the first and second respondents, namely, the Registrar, Bharathiar University, Coimbatore and the Controller of Examinations, Bharathiar University, Coimbatore, to consider and pass orders on a representation dated 25.01.2023 given by the petitioner and consequently direct the third respondent / the Principal, PSG College of Arts and Science, Coimbatore, to allow the petitioner to continue his 3rd year studies of B.VOC (Banking, Stock & Insurance) Course in PSG College of Arts and Science, Peelamedu, Coimbatore, in the current academic year 2022-23.



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2. Let me not enter into a detailed discussion about the reasons given by the petitioner for not having attended the sufficient number of classes which he should have attended as a student.

3. Among other reasons given, he had also stated that he suffered from severe back pain as a fallout of being afflicted with Covid-19 virus. However, it is seen that a semester contains 90 days. Every student is expected to attend atleast 75% of the classes which means that he or she has to attend atleast classes for 67 ½ days. The petitioner unfortunately had attended only for 37 days. It is too long an absence to be condoned by any authority. Had the shortfall been atleast in single digits, the respondents themselves as educators might have extended benevolence and if permitted would condoned the absence. But the number of days for which the petitioner was absent is far more than the number he actually attended. Even though the reasons of fallout of Covid-19 virus is stated, still the petitioner should have been a little more diligent and should have pushed himself to attend the classes.



4. I am informed that the curriculum includes issues relating to banking, stock and insurance. The petitioner can have practical experience on all those aspects during the interregnum period before the classes begin in the next semester. If he uses his time judiciously, in future, he would only again by the experience.

5. The relief sought cannot be granted by this Court. This Court cannot sit as an Appellate Authority or as a monitoring authority over the University. They have their guidelines and they are bound by the guidelines. Any concession granted by this Court would set a bad precedent and it would be difficult for the authorities to enforce their regulations thereafter. I have to regret that the relief sought for by the petitioner cannot be granted. The Writ Petition stands dismissed. No order as to costs.

6. I can only wish the petitioner all the best in his future.

21.02.2023

vsg

Index: Yes/No

Internet: Yes/No

Speaking / Non Speaking Order



To

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C.V.KARTHIKEYAN, J.,

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