

(2010) 04 MAD CK 0327

In the Madras High Court

Case No : Writ Petition (MD) No. 2325 of 2009 and M.P. (MD) No. 1 of 2009

D. Arjun

APPELLANT

Vs

The Director of Employment and Training, The Controller of
Examination Technical Education and The Principal Sun
Polytechnic College

RESPONDENT

Date of Decision : 20-04-2010

Acts Referred:

Citation : (2010) 04 MAD CK 0327

Hon'ble Judges : P. Jyothimani, J

Bench : Single Bench

Advocate : M. Saravanakumar, for the Appellant; V. Rajasekaran, Special Government Pleader for RR 1 and 2 and M. Ramadhas, for 3rd Respondent, for the Respondent

Final Decision : Dismissed

Judgement

P. Jyothimani, J.—This Writ Petition is filed for issuance of a Writ of Mandamus directing the respondents to treat the period of absence of the petitioner from 25.11.2008 to 19.01.2009 as medical leave and consequently direct the respondents to permit the petitioner to continue the IIIrd year Diploma Courses Mechanical Engineering in the Academic year 2008 to 2009.

2. The petitioner has joined in the third respondent College in three years Diploma course in Motor Mechanical Engineering and he has completed two years of his academic course and while he was undergoing the third year course during the year 2008-2009, he has not attended the classes between 25.11.2008 to 19.01.2009 on the ground that he was suffering from some ailment.

3. According to the third respondent for the third year, the petitioner has secured only 50% of attendance. The required attendance for a candidate to be eligible to write in the examination is 80% of the classes, out of which, 5% is condonable by the Principal. In the present case, even after the condonation of limit, the

petitioner's attendance is not sufficient to meet the requirement.

4. In such view of the matter, the relief sought for by the petitioner cannot be granted. Since the petitioner has already completed 2 years of three year course, as per rule, the petitioner has to redo the third year course.

5. The learned Counsel for the third respondent would submit that the third respondent College would permit the petitioner to redo the course on re-admission on payment of necessary fees for the academic year 2010 to 2011 and he will be permitted to write the final decree examination in the year 2011, provided, he secures sufficient attendance as per the regulations.

6. Accordingly, the Writ Petition is dismissed with a direction to the third respondent to permit the petitioner to redo the course on re-admission on payment of necessary fees for the third year course during the year 2010-2011 and permit him to continue the course. Consequently, connected Miscellaneous Petition is closed. No costs.