

(2014) 10 MAD CK 0108
In the Madras High Court
Case No : Writ Petition No. 20445 of 2014

L. James Vincent

APPELLANT

Vs

The Controller of Examination Anna University

RESPONDENT

Date of Decision : 13-10-2014

Acts Referred:

Citation : (2014) 10 MAD CK 0108

Hon'ble Judges : V. Ramasubramanian, J

Bench : Single Bench

Judgement

V. Ramasubramanian, J.—The petitioner has come up with the above writ petition seeking a direction to the respondents to permit his son to attend the third semester and appear for the second semester examinations for the B.E. Degree course.

2. Heard Mr.S.Manoharan, learned counsel for the petitioner and Mr.L.P. Shanmugasundaram, learned counsel for the first respondent- University.

3. The petitioner's son joined a four year Degree Course in Engineering in the second respondent-Institution during the academic year 2013-14. Though the petitioner's son appeared for the first semester examination, he was not permitted to write the second semester examination on account of shortfall in attendance. Therefore, he has come up with the above writ petition.

4. In the counter affidavit, the first respondent has relied upon the Regulations of the University, which stipulate that a candidate should secure at least 75% attendance, to be permitted to write an examination. The University has power to condone the absence beyond 25%, but only up to 35%. In other words, unless a candidate has secured an overall attendance of not less than 65%, he cannot be permitted to sit for the exams even by condoning the lack of attendance.

5. Unfortunately, the petitioner's son got only 41% attendance in the second semester. Therefore, his lack of attendance has gone beyond the condonable

limit.

6. The fact that the University cannot condone the lack of attendance beyond a prescribed limit and the fact that the same has been upheld by the decisions of this Court in Leo Francis Xaviour Vs. The Principal, Karunya Institute of Technology, Coimbatore and another, , C. Praveen Chander Vs. The Principal, Sri Venkateswara College of Engineering and The Vice Chancellor, Anna University, , K. Saravanan Vs. The Principal, Government Law College, , P.Balamurugan v. The Government of Tamil Nadu [W.P. No.10651 of 2008 dated 21.10.2008], Senthil Manoharan v. The Principal, Hindustan College of Engineering [W.P. No.10941 of 2008 dated 06.8.2009] and K.Khayathri v. The Secretary to Government of Tamil Nadu [W.P.(MD) No. 3588 of 2013 dated 03.4.2013], are not in doubt. Therefore, there are no merits in the writ petition. Hence, it is dismissed. No costs.