

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.03.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.32050 of 2014

&

M.P.No.1 of 2014

C.Vinutha

...Petitioner

Vs.

1. The Registrar
Anna University
Guindy, Chennai 32.
2. The Principal
Adhiyamaan College of Engineering (Autonomous)
Dr.M.G.R.Nagar, Hosur 635 109.
3. The Commissioner of Technical Education
Guindy, Chennai 25.

(R3 impleaded as per order dated
8.2.2015 in M.P.No.1 of 2015
in W.P.No.32050 of 2014)

...Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of mandamus to direct the first and second respondents to consider and pass appropriate orders on the representation dated 01.12.2014 and 02.12.2014 made by the petitioner for the admission in the B.E.Programme (Computer Science and Engineering-Branch) in the 6th Semester for the academic year of 2014-2015.

For Petitioner : Mrs. T.Sundaravadanam

For Respondents : Mr.M.Vijayakumar - R1
Standing Counsel for
Anna University

Mr.R.Parthiban - R2

Mr.S.Gunasekaran - R3
Government Advocate

O R D E R

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2.Heard Mrs. T.Sundaravadanam, learned Counsel appearing for the petitioner, Mr.M.Vijayakumar, Standing Counsel for Anna University appearing for the first respondent, Mr. R.Parthiban, learned counsel appearing for the second respondent and Mr.S.Gunasekaran, learned Government Advocate appearing for the third respondent.

3.The petitioner seeks for issuance of writ of mandamus to direct the first and second respondents to consider and pass appropriate orders on the representations submitted by her dated 01.12.2014 and 02.12.2014, for the admission in the B.E.Programme (Computer Science and Engineering-Branch) in the 6th Semester for the academic year of 2014-2015.

4.Admittedly, the petitioner did not attend classes, but in the affidavit filed in support of the Writ Petition, it is stated that due to conflict with the co-student, she could not attend the classes.

5.Whatever may be the reason which have prevented the petitioner from attending classes, the issue which has to be considered is as to whether the petitioner could be permitted to attend the remaining classes for the 6th semester for the academic year 2014-15.

6.From the counter affidavit filed by the second respondent College as well as the remarks furnished by the Anna University, it is seen that for the academic year 2014-15, Applications were invited seeking re-admission through online and necessary instructions have been sent to the Principals of all Engineering Colleges vide Circular

dated 21.10.2014, stating that the web portal for filling applications through online will remain active from 27.10.2014 to 30.1.2014 and specific instructions were given to the Principals to arrange to feed the data online on or before 30.11.2014, with a request to send the hard copy of the applications so as to reach third respondent's office on or before 05.12.2014. It is also stated that the petitioner's application was not received by the third respondent till date.

6.From the counter affidavit filed by the College it is seen that the petitioner did not approach the College seeking re-admission, within the time stipulated by the third respondent in its Circular dated 21.10.2014. However, it is to be pointed out that classes for 6th Semester for the academic year 2014-15, commenced on 01.12.2014, and as on date, the petitioner has lost 60 working days. Therefore, even if she is permitted to attend the classes in the month of March 2015, still there will be lack of attendance, as the attendance required is 75% for fulfilling the completion of semester.

7.Hence, the relief sought for by the petitioner for re-admitting her for 6th semester for the academic year 2014-15 is not feasible for consideration. Accordingly, while declining to grant the relief sought for, the petitioner is directed to apply afresh to the second respondent College, seeking re-admission in the 6th semester for the session 2015-16 and on receipt of such Application, the same shall be forwarded by the College to the third respondent as well as to the Anna University and as per the instructions given by the third respondent, if there is no other legal impediment, the petitioner shall be re-admitted to the course for the 6th semester academic year 2015-16.

The Writ Petition is dismissed with the above observations. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/- सतयमेव जयते
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rpa

To

1. The Registrar
Anna University
Guindy, Chennai 32.
2. The Principal
Adhiyamaan College of Engineering (Autonomous)
Dr.M.G.R.Nagar, Hosur 635 109.
3. The Commissioner of Technical Education
Guindy, Chennai 25.

- 1 CC to Mr.M.Vijayakumar, Advocate SR.No. 11389
- 1 CC to Mr.R.Parthiban, Advocate SR.No. 11313
- 2 CCs to Mrs. T.Sundaravadanam, Advocate SR.No. 12031, 12430

W.P. No.32050 of 2014
and M.P.No.1 of 2015

ALA (CO)
PSI (11.03.2015)



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