

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P. No.21975 of 2016

V.Vidya

.. Petitioner

Versus

1.The Registrar,
Pondicherry University,
Bharat Rat Dr.B.R.Ambedkar
Administrative Building,
R.V.Nagar, Kalapet,
Puducherry - 604 014.

2.The Deputy Registrar [Academy],
Pondicherry University,
Bharat Rat Dr.B.R.Ambedkar
Administrative Building,
R.V.Nagar, Kalapet,
Puducherry - 604 014.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the first respondent Registrar to call the petitioner student for the ensuing interview dated 30.06.2016 for the programme of Ph.D.Bioinformatics in their University, under OBC Category by accepting petitioner's request to change the category "General" into "OBC" in petitioner's online application for Ph.D.Programme.

For Petitioner : Mr.P.T.Perumal

For Respondents: Mr.Stalin Abhimanyu
Pondicherry University

WEB COPY
O R D E R

By consent, the Writ Petition itself is taken up for final disposal.

2.The petitioner would state that she passed M.Sc., Bio-Technology in Bharathidasan University and secured 83% of marks. She is the University First Rank Holder in M.Sc., Bio-Technology in the year 2001. After completing her M.Sc., Bio-

Technology, she was working as Research Associate in some Bio Companies in Bangalore. The petitioner would claim that she belongs to Hindu "Gavara Naidu" Community, which comes under Other Backward Community [OBC] and during the month of April 2016, she noticed an on-line advertisement, calling upon applications for Ph.D., Programmes in Pondicherry University and accordingly, she applied for two programmes viz., Ph.D. in Bio-Chemistry & Molecular Biology and Ph.D. in Bio-informatics. The petitioner would further state that while filling up the on-line application form, in the provision for category, by oversight she clicked "General" instead of "OBC" and she received the Hall Ticket for written examination on 24.05.2016 and in the first paragraph, there was an information that, in case of any discrepancy in the category, Help Desk has to be conducted and accordingly, she made a request for change of category from "General" to "OBC". However, the petitioner could not succeed in her efforts. The result of the written examination was published on 14.06.2016 and the petitioner was given rank Nos.122 and 30 respectively in respect of two Ph.D., Courses she applied. Thereafter, once again, she made a request to change the category from "General" to "OBC" in the form of representation dated 15.06.2016. Since no orders have been passed, she came forward to file this Writ Petition.

3.Heard the submission of Mr.P.T.Perumal, learned counsel for the petitioner and Mr.Stalin Abhimanyu, learned Standing Counsel for Pondicherry University, who accepts notice on behalf of the respondents.

4.The learned counsel appearing for the petitioner would submit that since the mistake is genuine and inadvertent one, the petitioner may be treated as OBC category and her candidature for Ph.D., Programmes may kindly be considered.

5.Per contra, the learned Standing Counsel appearing for the Pondicherry University would submit that once a candidate has chosen to opt for the category to which she belongs, cannot later change the status and make a fresh claim and prays for dismissal of this Writ Petition.

6.This Court has considered the rival submissions and also perused the materials placed before it.

7.Though the petitioner prays for the larger relief, this Court, in the lights of the facts and circumstances and without going into the merits of the same, directs the first respondent to consider and dispose of the petitioner's representation dated 15.06.2016, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

8.This Writ Petition is disposed of accordingly. No costs.

sri

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

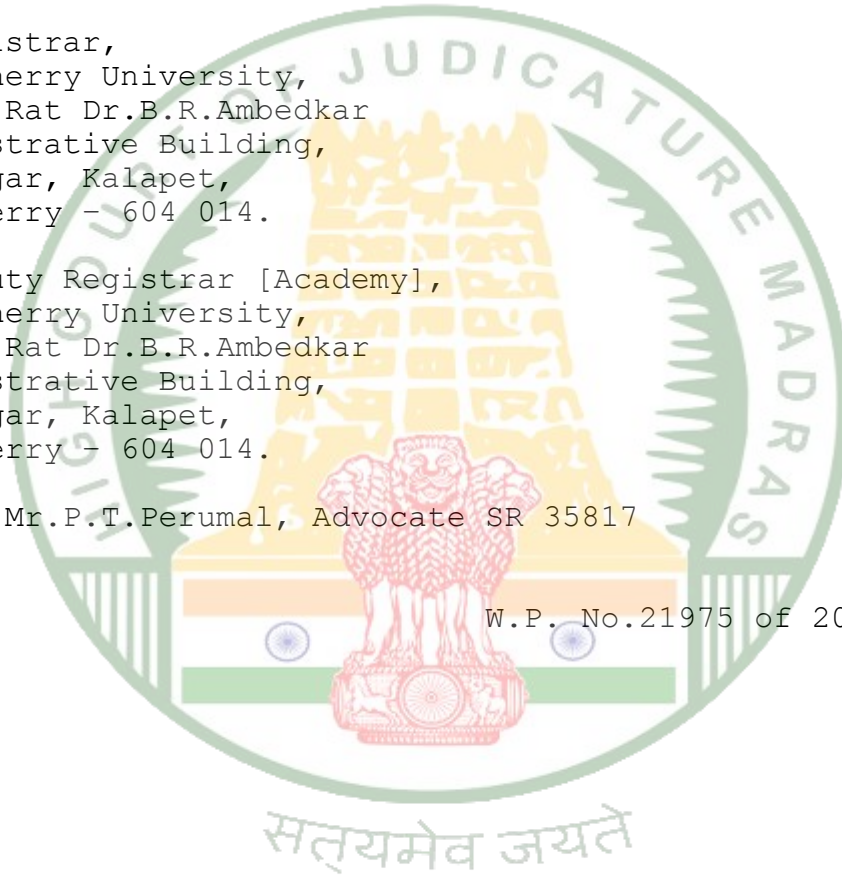
1.The Registrar,
Pondicherry University,
Bharat Rat Dr.B.R.Ambedkar
Administrative Building,
R.V.Nagar, Kalapet,
Puducherry - 604 014.

2.The Deputy Registrar [Academy],
Pondicherry University,
Bharat Rat Dr.B.R.Ambedkar
Administrative Building,
R.V.Nagar, Kalapet,
Puducherry - 604 014.

+ 1 cc to Mr.P.T.Perumal, Advocate SR 35817

skv(co)
prk29/6

W.P. No.21975 of 2016



WEB COPY