

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.08.2016

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.27732 of 2016
and W.M.P.No.23931 of 2016

K.N.Dharani (Minor)
rep. by her father Mr.S.Natarajan

... Petitioner

Vs.

1.Tamil Nadu Agricultural University,
Rep. By its Registrar,
Coimbatore-641 003.

2.The Co-Ordinator,
Tamil Nadu Agricultural University-
UG Admission 2016,
Coimbatore - 641 003.

3.The Dean (Agriculture) & Chairman (Admissions)
Tamil Nadu Agricultural University,
Coimbatore- 641 003.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents herein to permit the petitioner to join B.Sc. (Agricultural) Degree Course in any one of the Colleges affiliated to the 1st respondent University for the academic year 2016-2017.

For Petitioner : Mr.Kandhan Duraisami
For Respondents: Mr.Abdul Saleem.

ORDER

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

2. The petitioner is a minor and her father has sworn to the affidavit filed in support of this writ petition stating among other things that the petitioner belongs to Backward Class Community and hailing from a poor agriculturalist family and in the Higher Secondary Course Examination held during the year 2014, she secured the following marks:

Subject	Marks Obtained	Maximum Marks
Tamil	195	200
English	185	200
Physics	187	200
Chemistry	191	200
Biology	190	200
Mathematics	197	200
Total	1145	1200

The petitioner would further state that she submitted an On-line application in Registration No.767158101 to the respondents University for admission to B.Sc. (Agriculture) for the academic year 2016-2017 along with necessary fees and her application was successfully processed and she also participated in the counseling, wherein she has chosen a private College viz., Imayam Institute of Agriculture and Technology, Thuraiyur and also paid the necessary fees to the said College. The petitioner, come to the College for the purpose of attending the academic and found that necessary infrastructure and other facilities are totally lacking.

3. The learned counsel appearing for the petitioner would submit that the candidates, who have secured lesser marks, were called for second phase of counseling and they have been allotted seats in the Government Colleges and since, the third phase of counseling to be held on 09.08.2016 for the purpose of filling up of remaining seats, which includes the seats in the Government Agricultural Colleges also, she may be called for the third phase of counseling and thus prays for appropriate orders.

4. Mr.Abdul Saleem, learned Standing Counsel, who accepts notice on behalf of the respondents 1 to 3 would submit that the petitioner has voluntarily chosen the said private College at the time of first counseling and if the Court passes appropriate orders, she may be permitted to participate in the third counseling to be held on 09.08.2016.

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

6. The petitioner due to over anxiety and fear that if she does not get admission in any one of the Colleges, she may lost her academic session had chosen the said private College, which according to her, lack necessary infrastructure and other facilities. The fact remains that the candidates, who have secured lesser marks, were given admission in the Government Colleges in the second phase of counseling and the only hope for

the petitioner is to permit her to participate in the third phase of counseling wherein, some seats are still available in the Government Agricultural Colleges and in the event of adopting the said course, this Court is of the view that the respondents also may not put into any prejudice.

7. In the result, this Writ Petition is disposed of and the respondents 2 and 3 are directed to permit the petitioner to participate in the third phase of counseling to be held on 09.08.2016 and pass appropriate orders in accordance with the relevant norms and regulations and communicate the decision taken, to the petitioner. No costs. Consequently, connected miscellaneous petition is closed.

vsm

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Secretary

Tamil Nadu Agricultural University,
Coimbatore-641 003.

2. The Co-Ordinator,

Tamil Nadu Agricultural University-
UG Admission 2016,
Coimbatore - 641 003.

3. The Dean (Agriculture) & Chairman (Admissions)

Tamil Nadu Agricultural University,
Coimbatore- 641 003.

+ 1 cc to M/s. Muthumani Doraisami, Advocate SR 45040

nm(co)

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Writ Petition No.27732 of 2016

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