

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION No.25956 of 2016

ORDER:

Vide the present petition, the petitioner seeks a mandamus declaring the impugned letter dated 20.07.2016, issued by respondent No.1, as being illegal, unjust and unwarranted.

As is evident from the provisional seat allotment letter dated 19.07.2016 (which is enclosed as Annexure – P2 at Page No.14), the petitioner secured rank of 852, and the institute allocated was Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram into the Course of Electronics and Communication Engineering – Design and Manufacturing (4 years, Bachelor of Technology).

Vide letter dated 20.07.2016, petitioner's seat was cancelled, wherein it was stated that, as per the guidelines mentioned in clause 4(iii), the candidate must have taken atleast five subjects in class 12th/qualifying exam. In the said letter, in remarks column, it is stated that the candidate is not eligible since he has written only four subjects in the qualifying exam. Whereas the Board of Intermediate Education, Andhra Pradesh, Hyderabad, vide proceedings in Rc.No.601/C26-1/March/2015, dated 18.09.2014, conveyed to all the Principals of the Junior Colleges and Composite Degree Colleges, having two year Intermediate courses in the State, that certain exemptions and concessions were extended to Blind, Deaf, Deaf & Dumb and Physically Disabled candidates.

The petitioner is 100% deaf. Deaf, Deaf & Dumb candidates were granted exemption of one language under Part-I or II, and the students of vocational courses are exempted from studying communication skills in English language. The petitioner had five

subjects in 12th standard viz. English, Sanskrit, Maths, Physics and Chemistry. He passed Board of Intermediate Education and the result awarded was 'B Grade' which stand for 60% and 75%.

It is clear from the certificate issued by the Board of Intermediate Education, which is enclosed as Annexure - P7 at Page No.39, that the petitioner was exempted from English subject.

In Joint Entrance Examination (JEE) (Main)-2016, the petitioner was awarded 852 rank. However, vide impugned letter dated 20.07.2016, the seat has been cancelled stating that the candidate must have taken atleast five subjects in class 12th/qualifying exam, and the petitioner has written only four subjects in the qualifying exam.

As per proceedings in Rc.No.601/C26-1/March/2015, dated 18.09.2014, the Board of Intermediate Education, Andhra Pradesh, Hyderabad, had exempted the subject of English for the students who come under the category of 'deaf', 'deaf & dumb'. However, respondents did not go through those proceedings and issued the impugned letter.

Keeping in view the urgency, the present matter was listed on 03.08.2016. Learned Assistant Government Pleader appeared. Thereafter, the matter was listed today in the motion list.

There is no appearance on behalf of the respondents.

Thus, this Court is compelled to dispose of the Writ Petition in view of the facts noted above.

The impugned letter dated 20.07.2016 is hereby quashed. Accordingly, I direct respondent No.1 to admit the petitioner into the Course of Electronics and Communication Engineering – Design and Manufacturing (4 years, Bachelor of Technology), Indian Institute of Information Technology, Design and

Manufacturing, Kancheepuram, within one week from the date of receipt of a copy of the order, and allow him to attend classes as per admission letter dated 19.07.2016.

The Writ Petition is, accordingly, allowed. Miscellaneous Petition pending, if any, shall also stand disposed of. However, in the circumstances, without costs.

SURESH KUMAR KAIT, J

Dt:08.08.2016

Note:CC tomorrow

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