

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28-11-2017

CORAM :
THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.30750 of 2017
and
W.M.P.Nos.33659 & 33660 of 2017

G.Tharun Sai,
Represented by G.Padmavathi
Mother and Natural Guardian of G.Tharun Sai
6-7, Marrimanu Street, Lakshmipuram Village,
Gandhi House, Golugonda Mandal,
Visakhapatnam - 531 084 Petitioner

Vs

1. The Secretary,
Tamilnadu Engineering Admissions,
Anna University,
Chennai - 600 025.
2. The Registrar,
Anna University,
Chennai - 600 025.
3. The Secretary to Government,
Higher Education Department,
Secretariat, Tamil Nadu State Government,
Chennai - 600 025. Respondents

Prayer:

Writ petition is filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records of the 1st respondent rejection letter download from the net copy dated 02.08.2017 and quash the same and direct the 1st respondent to allot a seat either in Anna University or in any of the affiliated colleges of the 2nd Respondent.

For Petitioner : Mr.T.Ravichandran
for Mr.S.Saravanan

For Respondents : Mr.M.Vijayakumar, for R1 & R2
Mr.T.M.Pappiah, Spl.G.P., for R3

O R D E R

The petitioner who hails from Andhra Pradesh studied upto 12th Standard in the said state and applied for engineering seat in non-local quota to the first respondent university. Though the petitioner hails from Andhra Pradesh, while filing up the online application, the petitioner had inadvertently stated that "Candidate has studied VIII, IX, X, XI, XII in Tamil Nadu - YES".

2.The learned counsel for the petitioner would submit that all the Schools where the petitioner studied are located in Andhra Pradesh and those details have been rightly disclosed by the petitioner in the application form. However, due to inadvertence, the aforesaid error had occurred and therefore, the petitioner wrote a letter to the third respondent on 24.06.2017 requesting to rectify the mistakes made by him at the time of online registration. Similarly, another application was addressed to the third respondent on 27.06.2017 requesting to change the quota. However, the petitioner's candidature was rejected on 02.08.2017 and the same has been downloaded from the Internet. Again on 02.08.2017 and 21.08.2017, the petitioner addressed a letter to the 1st and 3rd respondents requesting for admission in B.Tech course, as he had secured more marks. The said letter was followed by the lawyer's notice dated 04.10.2017 calling upon the respondent to call the petitioner for counselling and allot him a seat in B.Tech Course. While so, the petitioner filed writ petition in W.P.No.29447/2017 praying for a direction to the 1st respondent to consider and dispose of the representation given by the petitioner. However, the said writ petition was withdrawn with liberty to file fresh writ petition and thereafter, the present writ petition has been filed.

3.Heard the learned counsel appearing on behalf of the petitioner, Mr.Vijayakumar, learned counsel appearing for the respondents 1 and 2 and Mr.T.M.Pappiah, learned Special Government Pleader appearing for the third respondent.

4.A perusal of the records would show that the petitioner hails from Andhra Pradesh. However, while filling up the online application, due to inadvertence, the petitioner had indicated as though he has studied VIII to XII standards in Tamil Nadu. Though it cannot be ruled out that the mistake could have occurred only due to inadvertence and it may not be intentional and the petitioner had also subsequently written a letter to rectify the error, in view of the fact that the time limit stipulated by the Hon'ble Apex Court for admission into Engineering Colleges is over by 31.08.2017 and we are in fag end of November, it is not possible to direct the respondent to admit the petitioner beyond the time limit fixed by the Hon'ble Apex Court. Further, there is also inordinate delay on the part

of the petitioner in approaching the Court. If the petitioner's request for counselling was rejected on 02.08.2017, the petitioner could have approached this Court in the month of August itself, so that the grievance of the petitioner could have been looked into. Even assuming for a moment that the claim of the petitioner is genuine, the time limit prescribed by the Hon'ble Apex Court works against the petitioner and therefore, the impugned order passed by the respondent cannot be set aside.

5. In view of the above stated position, the writ petition fails and the same is dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

tkp

To

1. The Secretary,
Tamilnadu Engineering Admissions,
Anna University, Chennai - 600 025.
2. The Registrar,
Anna University, Chennai - 600 025.
3. The Secretary to Government,
Higher Education Department,
Secretariat, Tamil Nadu State Government,
Chennai - 600 025.

+1cc to Mr.M.Vijayakumar, Advocate, S.R.No.84562
+1cc to Mr.T.Ravichandran, Advocate, S.R.No.84566
+1cc to the Government Pleader, S.R.No.85132

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W.P.No.30750 of 2017

NRL(CO)
CS/11/05/18