

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P Nos.12892 & 12893 of 2015 and
W.M.P. Nos. 1 & 1 of 2015

P.L.Lingaiah ... Petitioner in W.P.No.12892 of 2015

P.Venkateswaralu ... Petitioner in W.P.No.12893 of 2015

Vs

1.The Principal,
Kendriya Vidyalaya,
IIT Campus, Chennai - 600 036.

2.The Chairman,
Kendriya Vidyalaya,
IIT Campus, Chennai - 600 036.

... Respondents in both Writ Petitions

Prayer in W.P.No.12892 of 2015: Writ petition is filed under Article 226 of the Constitution of India for issuance of writ of mandamus to direct the respondents to consider and to admit petitioner's son L. Kishore in the 1st standard, Kendriya Vidyalaya IIT Campus, Madras-600 036 whose registration number is 876.

Prayer in W.P.No.12893 of 2015: Writ petition is filed under Article 226 of the Constitution of India for issuance of writ of mandamus to direct the respondents to consider and to admit petitioner's daughter Baby P. Kavya in the 1st standard, Kendriya Vidyalaya IIT Campus, Madras-600 036 whose registration number is 808.

For Petitioner (both petitions) : Mr.S.Krishnasamy

For Respondents (both petitions) : Mr.M.Vaidyanathan
(for R1 & R2)

C O M M O N O R D E R

The petitioners' had applied for admission of their children for 1st standard in Kendriya Vidyalaya IIT Campus, Madras, under the quota available for ex-employees of IIT, Madras. The name of the children have been shown in the list dated 19.03.2015 as application nos.808 (P.Kavya) and 876 (L. Kishore). Since the number of seats available is only seven, the students have to be chosen by draw of lot, which was scheduled to be held on 23.03.2015. The Children of the petitioners have not been chosen and therefore, the petitioners are before this Court.

2.Heard Mr.S.Krishnasamy, learned counsel appearing for the petitioners and Mr.M.Vaidyanathan, learned counsel appearing for the respondents.

3.It is an admitted fact that as the grandfather of the children were ex-employees of the IIT, Madras, their children and the grandchildren are entitled to get seats in the first respondent/school. Under the said category only, the petitioners' children, namely P. Kavya (808) and L. Kishore (876) had applied for admission. Since seven seats alone have been reserved for children/grandchildren of the ex-employees and more than 7, (i.e.,) 14 applications were submitted, the respondents by way of notice dated 19.03.2015 informed that there will be a draw of lot for category I applicants for admission in class I during the year 2015-2016, on 23.03.2015. A perusal of the list would denote the inclusion of the name of P.Kavya (W.P.No.12893 of 2015) and L.Kishore (W.P.No.12892 of 2015). Till this stage, there is no dispute.

4. While so, the draw was made on 23.03.2015 and it was found that the children of the petitioners were not chosen. The petitioners were aware of the fact that they had applied under the ex-employees category and if more applications were received, there would be a lot system. List of candidates to be included for the draw of lot was also made known to the petitioners by notice dated 19.03.2015. In fact, the petitioners' also participated in the lot. However, the names of the children were not selected in the lot. Having agreed for the lot and having participated in the lot for selecting the students, now the petitioner cannot wriggle out and challenge the very same procedure under which they participated without any objection. Therefore, the plea of the petitioners has to be rejected.

5. Moreover, the admission is for the year 2015-16 and already two years have passed and admission for the year 2017-18 is also over. Even on that score this Writ Petition has to be dismissed as infructuous. Therefore, these Writ Petitions fail and stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

-s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

sai

+2 Ccs to Mr.S. Krishnasamy, Advocate sr 58665 & 58664.

W.P Nos.12892 & 12893 of 2015

SP(05/09/2017)



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