

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2017

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THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. No.15773 of 2017

and

W.M.P.No.17058 of 2017

S.Mohammed Jaleel

...Petitioner

Vs.

1. The Principal Secretary
Department of Higher Education
Government of Tamil Nadu, Secretariat
Chennai.
2. The Chairman
Committee to Regulate -Monitor the Admission
for Professional Courses
DOTE Staff Quarters
Gandhi Mandappam Road
Chennai - 600 025.
3. The Director
Directorate of Technical Education
Anna University Campus
Guindy, Chennai - 600 025.
4. The Member
Convenor Committee
Anna University, Guindy
Chennai - 600 025.
5. The Secretary
Tamil Nadu Engineering Admission
Anna University
Guindy, Chennai - 600 025.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to permit the petitioner association colleges to admit students under government seats quota on the fees fixed for the government seats by the Fee Fixation Committee for the academic year 2017-2018 and further direct the respondents herein to consider the petitioner's representation dated 07.06.2017 instead of for bearing the respondents herein from proceeding with the TNEA Counseling scheduled to be held from 27.06.2017 or

any other date for the academic year 2017-2018 and further direct the respondents herein to consider the petitioner's representation dated 07.06.2017.

For Petitioner: Mr.S.Manuraj

For Respondents: Mr.T.M.Pappiah [For R1 to R3]
Special Government Pleader
Mr.Venkataramani
Additional Advocate General
Assisted by
Mr.M.Vijayakumar [For R4 & R5]

O R D E R

The petitioner is the President of Anna University, Thirunelveli, Self Financing Engineering Colleges Management Association which has got about 69 colleges as members. 65% of the sanctioned strength of these colleges go to the Government as Counselling seats. In the past three years, over 50% of the Counselling seats have not been filled by the Tamil Nadu Engineering Admission (TNEA) and they have been returned to the respective colleges as lapsed seats. In view of that, huge financial loss is caused to the petitioner's institution. Moreover, no time is given to the engineering aspirants to find to get the lapsed seats. According to the petitioner, Tamil Nadu Engineering Admissions (TNEA), which has been done by the Anna University a Nodal University appointed by the Government of Tamil Nadu has become completely impracticable and lost the purpose for which the same was introduced. Therefore the petitioner gave a representation to the respondents on 07.06.2017 seeking permission to the private colleges to fill up their own seats. Though originally a writ of Mandamus forbearing the respondents from proceeding with the TNEA Counselling going to be held for the academic year 2017-2018 was sought with a further direction to the respondents to consider the petitioner's representation dated 07.06.2017, the prayer was subsequently amended to the effect to issue a writ of mandamus permitting the petitioner's association college to admit the students under government fees quota on the fees fixed for the Government seats by the Fee Fixation Committee for the academic year 2017-18 and further direction to the respondents to consider the petitioners representation dated 07.06.2017.

2.Heard Mr.S.Manuraj, learned counsel appearing for the petitioner and Mr.Venkataramani, learned Additional Advocate General appearing for 4th and 5th respondents and Mr.T.M.Pappiah, learned Special Government Pleader appearing on behalf of the 1 to 3 respondents.

3. Though a larger relief has been sought for, subsequently Mr. Manuraj, learned counsel appearing for the petitioner would submit that the students especially from Southern and Western part of the Tamil Nadu with the rural background are unable to travel to Chennai to attend the counselling to get into Engineering Colleges and therefore, regional counselling centres have to be established either in Madurai, Coimbatore and Trichy. An additional counter affidavit has been filed by the 5th respondent stating that the Government has announced online counselling for the Engineering Colleges for the academic year 2017-2018 onwards to avoid the discomfort to the students and parents from travelling to Anna University, Chennai and to attend the counselling and to fill up the vacancies in the colleges. However, Mr. Mohanraj, learned counsel would submit that the internet literates are only to an extent of 3 percent through out India and the students from rural areas are unable to understand online operation and they cannot choose the colleges in a shorter time.

4. When the Government has already decided to dispense with the centralized counselling system and only online counselling will be conducted from the year 2017-2018 onwards, the prayer sought for by the petitioner cannot be granted. Moreover the Government is giving free laptops to the school students and they should be well versed with online operations. Hence the contention of the petitioner that the rural students may not be well versed in online operations is not correct and therefore, recording the statement of the 5th respondent that the counselling would be done by the respondents through online only during the academic year 2018-2019, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar (CCC)

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Sub-Assistant Registrar

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To

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Guindy, Chennai - 600 025.

+1 CC to Mr.S. Manuraj, Advocate sr 89544
+1 CC to Ms.M. Vijayakumar, Advocate sr 89271.
+1 CC to Govt. Pleader sr 89436.

W.P.No.15773 of 2017

KJ(CO)
SP(02/02/2018)



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