

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2017

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.19441 of 2017  
and  
WMP. No.20965 of 2017

Premkumar  
S/o.Nagaraj

... Petitioner

Vs.

1. The Secretary  
Higher Education Department  
Secretariat, St.George Fort,  
Chennai.

2. The Vice Chancellor  
Tamil Nadu Agricultural University  
Coimbatore.

3. The Chairman  
Tamil Nadu Agricultural University  
Under Graduate Admission 2017  
Coimbatore.

... Respondents

**Prayer:**

Writ petition filed under Article 226 of the Constitution of India,  
for issuance of a Writ of Mandamus, directing the respondents to give  
admission at B.Sc., Agri in the 2nd respondent University for the  
petitioner, by considering his representation dated 28.06.2017.

For Petitioner : Mr.K.Gnanasekar  
for Mr.G.Pavendhan  
For Respondents : Mr.A.Kumar  
Special Government Pleader for R1  
Mr.Abdul Saleem  
standing counsel for R2 & R3

ORDER

The petitioner seeks for a mandamus, directing the respondents to give admission to B.Sc., (Agri) in the second respondent University by considering his representation dated 28.06.2017.

2. Heard the learned counsel appearing for the petitioner, learned Special Government Pleader appearing for the first respondent and the learned Standing counsel appearing for the second & third respondents.

3. The petitioner who belongs to Backward class community, after completing Higher Secondary School, applied before the second respondent University for admission to B.Sc., (Agri) course. He was called for counselling. Though he attended the counselling, he was not given admission and therefore, the petitioner made a representation on

28.06.2017, requesting the respondents to admit him in B.Sc., (Agri) course. When such representation was not considered, he approached this Court and filed the present writ petition.

4. When this matter was taken up for admission on 28.07.2017, this Court, by way of an interim order, directed the respondents to keep one seat of B.Sc., (Agriculture) course vacant in the second respondent University, if there are any vacancies existing as on that date.

4. Thereafter, the matter was adjourned on three occasions and today, it is posted finally for hearing.

5. The learned counsel for the petitioner submitted that the respondent University is denying admission to the petitioner, simply because the petitioner has exceeded the age limit only by 2 1/2 months and therefore, by considering his poverty, the respondent University should have admitted the petitioner, having chosen to invite him for counselling.

6. Per contra, the learned counsel appearing for the second respondent University, after inviting this Court's attention to the Information Brochure issued by the second respondent University for admission to Under Graduate courses for the academic year 2017-2018, more particularly, to Clause 2.1.5 dealing with age limit, submitted that the petitioner admittedly completed the age of 21 years on the first day of July of the admission year i.e. as on 01.07.2017. Therefore, he is not eligible to be considered, as the said clause in the prospectus imposes restrictions on the candidates with regard to their age limit. Therefore, he submitted that there is no scope of relaxation of the age limit and if it is done, it would only open the flood gate.

7. Heard both sides.

8. The petitioner seeks for admission to B.Sc., (Agri) at the second respondent University. The information brochure issued by the second respondent University for admission to Under Graduate courses for the academic year 2017-2018 stipulates the age limit for candidates. The

relevant clause 2.1.5 reads as follows:-

*"2.1.5. Age Limit*

*Candidates should not have complete the age of 21 years on the first day of July of the admission year (i.e. as on 01.07.2017). However, for Scheduled Castes (SC), Scheduled Caste - Arunthathians (SCA) and Scheduled Tribes (ST) there is no age limit."*

9. It is an admitted fact that the petitioner as on 01.07.2017 has crossed the age of 21 years. Even though it is stated that such exceeded age is only by 2 1/2 months, this Court is not in a position to come to the rescue of the petitioner, especially when the above clause stipulated in the prospectus is very clear and categorical in its terms that the candidates should not have completed the age of 21 years on the first day of July of the admission year i.e. 01.07.2017. When such being the condition imposed therein in respect of the age limit, the petitioner is not entitled to seek for admission as he has admittedly crossed the age limit. The petitioner has not chosen to challenge the prospectus and on the other hand, he only seeks for mandamus as stated supra. Therefore,

I find that the petitioner is not entitled to the prayer as sought for in the

**K.RAVICHANDRABAABU,J.**

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writ petition. Accordingly, the writ petition fails and the same is dismissed. The interim order dated 28.07.2017, granted already is vacated. No costs. Consequently, connected miscellaneous petition is closed.

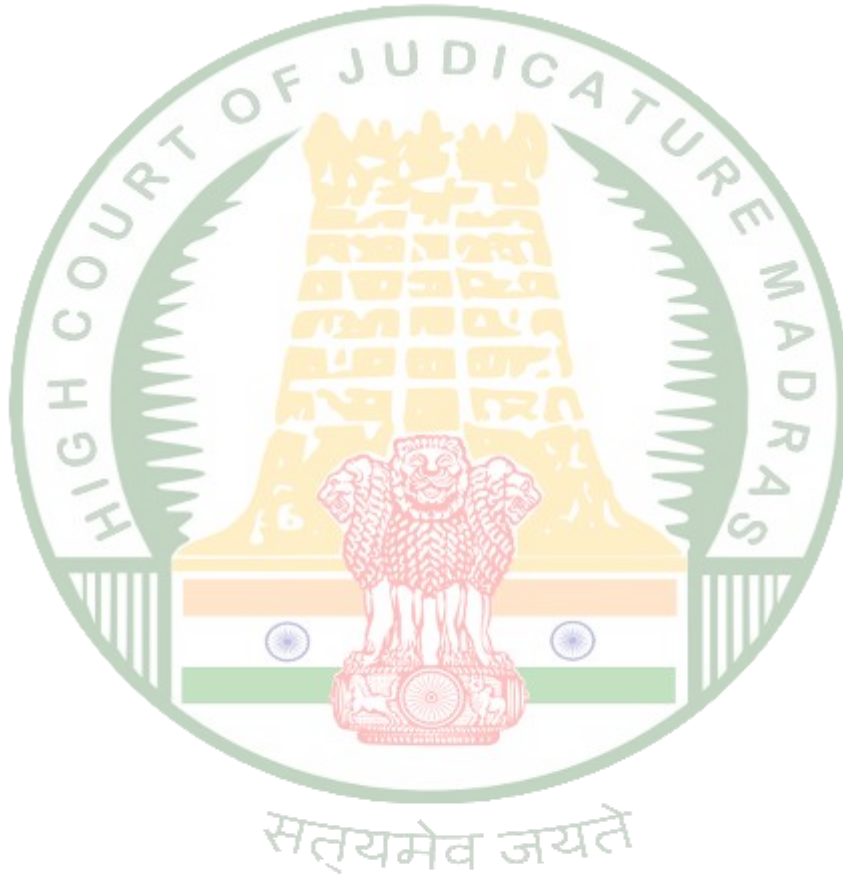
11.09.2017

Speaking/Non-speaking order  
Index : Yes/No

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To

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