



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

AND

THE HONOURABLE MR.JUSTICE **N.SATHISH KUMAR**

W.A.(MD).No.976 of 2015

and

W.M.P.(MD).No.1 of 2015

The Gandhigram Rural Institute-Deemed University,
Represented by the Registrar,
Gandhigram-624 302,
Dindigul District.

... Appellant/Respondent

Vs.

P.Savithri

... Respondent/Petitioner

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, praying that this Court may be pleased to set aside the order passed in W.P.(MD).No.10438 of 2015 dated 08.07.2015 by allowing the present writ appeal.

Prayer in WP(MD). 10438/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus directing the respondent to admit the petitioner to Post Graduate Diploma In Sanitary Inspectors Course (Programme 2015-2016) offered by the respondent University as per the Admission letter in Ref:2015-16/004-01772 , dated 23.06.2015 within the time stipulated by this Honble Court.

For Petitioner :Ms.S.Srimathy

For Respondent :Mr.T.Lajapathi Roy

JUDGMENT

[Judgment of the Court was made by M.M.SUNDRESH, J.]

This writ appeal has been preferred against the order of the learned Single Judge by which a direction was issued to permit the petitioner to pursue the Post Graduate Diploma in Sanitary Inspector's course before it.

2.It appears that the writ petitioner has completed a degree in B.S.c., (Special) Chemistry and had applied for pursuing Post Graduate Diploma in Sanitary Inspector course at the Gandhigram Rural Institute-Deemed University. The qualification for pursuing the said course being B.S.c., Chemistry. Unfortunately, admission was not provided to the petitioner on the ground that B.S.c., (Special) Chemistry studied with the Madurai Kamaraj University is not equivalent to the B.S.c., Chemistry, by relying upon the Government Order in G.O.Ms.No.69 dated 27.07.2004.



3.The learned counsel appearing for the appellant would submit that under those circumstances the order passed by the learned Single Judge requires interference. He would further submit that the Competent Authority to take decision is the Madurai Kamaraj University and therefore, the order passed by the learned Single Judge will have to be confirmed. Reliance has been placed on the decision of the Division Bench of this Court in **W.A.No.476 of 2010** dated **29.06.2011 (The Deputy Secretary Vs. Vijayaraj)**.

4.The fact remains that as on today, there is no equivalence to the degree with the requirement B.S.c., Chemistry. The judgment of the Division Bench in our considered view, goes against the writ petitioner. In academic matters, this Court cannot interfere and substitute itself into an expert body. The decision of the Tamil Nadu Public Service Commission is based upon the Government Order passed which has not been challenged. As on today, there is no equivalence, though the Madurai Kamaraj University has made a recommendation by its own nature which can only be a recommendation. Further more, the writ petitioner has reached the age which is beyond the prescribed limit for admission. Therefore, the order of the learned Single Judge is set aside.

5.Accordingly, this Writ Appeal stands allowed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

TO

+1cc to M/S.T.LAJAPATHI ROY, Advocate SR.No.64886

+1cc to M/S.S.SRIMATHY, Advocate SR.No.64269

MR/RMK

MAS/SV-MMS/SAR2:01.09.2017:2P-3C

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