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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.19598 of 2017 and

W.M.P.(MD) Nos.15870 & 15871 of 2017

M.Muthukumaran

... Petitioner

-vs-

1. The Secretary,
Board of Examination,
Directorate of Higher Secondary Examination,
Chennai.

2. The Chairman,
Controller of Admission 2017-18,
Dr.Ambedkar Law University,
No.5, Dr.D.G.S.Dhinakaran Salai,
Chennai-113.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus to call for the records of the 2nd respondent by his proceeding dated Nil rejecting the application No.A31710041 and quash the same and direct the 2nd respondent to consider the application of the petitioner for the admission for LLB 3 years course 2017-2018.

For Petitioner	: Mr.K.P.S.Palanivel Rajan
For R1	: Mr.T.S.Mohamed Mohideen Addl. Govt. Pleader
For R2	: Mr.V.Meenakshi Sundaram

O R D E R

This writ petition has been filed, seeking to quash the impugned proceedings of the 2nd respondent, by which the application for admission to three years LLB Course stood rejected, on the ground that the petitioner had undergone his H.Sc., as a private candidate. The petitioner also sought a direction to the respondents to consider the application of the petitioner for admission to the LLB 3 years course 2017-2018.

2. The learned counsel for the petitioner would submit that pursuant to the advertisement issued by the 2nd respondent calling for application for admission to the course of LLB three years course, the petitioner applied for the same. However, he was not called for counselling inspite of the fact that he fulfills all the requirements of the University and subsequently, he came to know that his name was placed under the "Not Eligible" category, stating that he wrote his H.Sc., exams as a private candidate. Though he has offered suitable explanation to the 2nd respondent



stating that he had written only improvement exams for the purpose of gaining more marks after undergoing regular studies, the 2nd respondent, without any application of mind, has simply rejected the application of the petitioner. Aggrieved by the same, the petitioner is before this Court with the above relief.

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3. At this juncture, the learned counsel appearing for the 2nd respondent University would fairly submit that inadvertently, the petitioner's status has been shown as "Not Eligible" under the wrong notion that he had undergone his H.Sc., through private study and in the event of the petitioner producing original certificates for consideration in support of his claim, the petitioner's eligibility for admission will be considered.

4. In view of the above submission, this petition is allowed and the impugned proceedings of the 2nd respondent is set aside. The petitioner is directed to produce all the original certificates to the authority concerned to justify his stand within a period of two weeks from the date of receipt of a copy of this order and on such production, the same shall be considered and decision taken thereon forthwith. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To:

1.The Secretary,
Board of Examination,
Directorate of Higher Secondary Examination, Chennai.

2. The Chairman,
Controller of Admission 2017-18,
Dr.Ambedkar Law University,
No.5, Dr.D.G.S.Dhinakaran Salai,
Chennai-113.

+1cc to Special Government Pleader, SR.No. 86560
+1cc to M/S.V.Meenakshi Sundaram, Advocate SR.No. 86335
+1cc to M/S.K.P.S.Palanivel Rajan, Advocate SR.No. 86198

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