

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SMT JUSTICE T.RAJANI**

WRIT APPEAL NO.938 OF 2017 AND

WRIT PETITION NO.20154 OF 2017

COMMON JUDGMENT: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

While this appeal is preferred against the interlocutory order passed in WP.MP.No.24692 of 2017 in WP.No.20154 of 2017 dated 23.06.2017, both Sri J.Prabhakar, learned counsel for the appellant-writ petitioner and Smt.A.Chaya Devi, learned Standing Counsel for the Central Board of Secondary Education (CBSE), would request us to finally decide the Writ Petition itself.

After arguing for some time on the validity of the action of the CBSE, in rejecting the petitioner's request for correction of his category status from that of 'General' to 'OBC', Sri J.Prabhakar, learned counsel for the petitioner, would submit that, even if the appellant-writ petitioner is held disentitled to have the category, mentioned in the application form submitted by him earlier, corrected to reflect his category as an 'OBC', for admission into I.I.T, the CBSE should be directed to permit correction of the application form submitted by the petitioner earlier, as the rank assigned to the appellant-writ petitioner by the CBSE for each category in the I.I.T JEE would form the basis for the petitioner's admission in other institutions such as the Indian Institute of Space Technology etc. He seeks a direction to the CBSE to consider the petitioner's request to correct the earlier error committed by him in his application form, and to substitute the word "General" with the words "OBC", subject to verification of his status as an OBC.

It is wholly unnecessary for us to examine whether or not the CBSE is justified in refusing to entertain the petitioner's claim for correction of the error committed by him, in filling up his application form earlier, as it is now stated by Sri J.Prabhakar, learned counsel for the appellant-writ petitioner, across the bar that the petitioner only seeks the relief of correction of his category status in the application form submitted by him for appearing in the I.I.T.J.E.E, to enable him to apply for other institutions such as the Indian Institute of Space Technology and not for admission into the IIT.

We consider it appropriate, therefore, to permit the petitioner to submit a representation to the respondents to consider his request for correction of the category status column, in the application form submitted by him earlier for appearing in the I.I.T. JEE, from "General" to "OBC", and on such a representation being submitted, the first respondent shall consider the said representation within one week from the date of its receipt, and in accordance with law, to enable the petitioner to seek admission in institutions other than I.I.T.

Both the Writ Appeal and the Writ Petition are disposed of accordingly. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(RAMESH RANGANATHAN, ACJ)

(T.RAJANI, J)

13th July 2017

Note: Issue CC by tomorrow

B/O

RRB