

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.22990 OF 2017

ORDER:

This Writ Petition is filed questioning the action of the respondents 3 and 4 in not allowing the petitioner's son namely Budi Srikrushna Pinaki and in not admitting him in spot admission held on 08.07.2017 on the ground of not producing the original certificates for verification to avail the provisional admission in B.Tech (ECE) as illegal and arbitrary.

It is the case of the petitioner that his son by name B. Srikrushna Pinaki was denied admission into B.Tech (ECE) of the college of the respondents 3 and 4 merely on the ground that the petitioner's has not produced the original certificates. It is the specific case of the petitioner that earlier his son had taken admission into Mahatma Gandhi Institute of Technology and submitted all the original certificates and thereafter on coming to know the vacancies in the respondents 3 and 4 college, petitioner's son approached the respondents 3 and 4 seeking admission under the spot admission category. However, the petitioner's son was not given the admission merely on the ground that the petitioner's son could not produce the original certificates. It is the further case of the petitioner that the original certificates could not be produced by the petitioner's son as he had already submitted the same to the Mahatma Gandhi Institute of Technology where the petitioner's son had taken admission in the earlier counselling.

Counter-affidavit is filed by the respondents 3 and 4 denying the averments made by the petitioner in the writ affidavit. However, it is stated that in the counter-affidavit that the petitioner

reacted violently when his son was not allowed to participate in the said spot admissions and he created any amount of disturbance by shouting at the top of his voice seriously interfering with the smooth process of admission and threatened to sit on “Dharna”. In order to control the situation and also to facilitate smooth conduct of the said admission process, the 4th respondent institution was constrained to report to the Police Station, Golconda and thereafter, in the presence of the said Police Personnel, the situation was brought under control. Thus, the entire admission process was absolutely fair and transparent and it had taken place in the presence of all the parents and candidates, who were present in large number, with original certificates and demand drafts etc. It is further stated that had the 4th respondent institution notified that the originals are not required and copies thereof are sufficient, then more number of students would have participated in the said “Spot Admissions”. If the time is given for submission of Originals, the past experience has shown that these candidates did not turn up and after the last date of admissions are over, they have initiated legal proceedings seeking refund of the amounts paid. In those circumstances, the writ petition is liable to be dismissed.

On the other hand learned counsel for the respondents 3 and 4 submits that the very concept of spot admission is that the candidate who seeks admission shall come with all the necessary original documents and take admission into the available seats by paying the necessary fees on the spot itself. There is no procedure of granting further time as in the event of candidate seeking time and not turning thereafter would result in seat going waste.

Learned counsel for the respondents 3 and 4 also submits that the very procedure involving is such to enable the seats to be filled up, so that no seats would go waste.

Having considered the respective submissions and considering that the petitioner has not complied with the conditions mentioned in the notification that the candidate should produce all the necessary original documents at the spot admission, one cannot find fault with the college of the respondents 3 and 4 for not acceding to the request of the petitioner's son as admittedly the petitioner's son had failed to fulfil the conditions. In those circumstances, there are no merits in the writ petition and the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. Miscellaneous Petitions pending, if any, shall stand closed. No order as to costs.

JUSTICE CHALLA KODANDA RAM

Dated:08.08.2017
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