

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON' BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

Writ Appeal No.1737 of 2017

Judgment: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

This appeal, under Clause 15 of the Letters Patent, is preferred against the order of the learned Single Judge in W.P. No. 33761 of 2017 dated 13.10.2017.

The appellant herein filed the said Writ Petition to declare the action of the Convener, TS ECET (JNTU, Hyderabad) in not approving spot admission of the appellant-writ petitioner for lateral admission into second year B. Tech. (Chemical Engineering); and in not permitting the appellant-writ petitioner to pay examination fee to write the first semester examination of the second year B. Tech. (Chemical Engineering) for the academic year 2017-18, as illegal, arbitrary, unjust and in violation of Articles 14 and 21 of the Constitution of India.

The appellant herein obtained his Diploma in Plastic Technology from the Central Institute of Plastics Engineering and Technology, Guindy, Chennai. He applied for, and was admitted by the 5th respondent, into the second year B. Tech.(Chemical Engineering) course through the lateral entry mode. It is brought to our notice that 20% of the approved intake is set apart for lateral admission of students, who have completed a three year Diploma in Engineering, into the second year under-Graduate Engineering Course. The appellant-petitioner was one such student who was admitted into the 5th respondent-College. Respondent Nos. 1 and 3, however, called upon the appellant-writ petitioner to submit a Certificate to show that the three year Diploma Course in Plastic Technology, undergone by him, was equivalent to a Diploma Course in Chemical Technology for it is only then would he be entitled for lateral movement to the second year Under Graduate Engineering Course in Chemical Technology.

Sri S.R. Sanku, learned counsel for the appellant, would complain of discrimination; and contend that all other students who were laterally admitted into the second year Engineering Course in the 5th respondent-College, were permitted to appear in the first semester examination; the appellant-petitioner was alone singled out for adverse treatment; the All India Council for Technical Education Approval process handbook 2017-18 refers to the Diploma Course in Plastic Technology as equivalent to a Diploma Course in Chemical Technology; and, consequently, the appellant-writ petitioner is entitled to a lateral movement into the second year under Graduate Engineering Course in Chemical Technology.

The All India Council for Technical Education Approval Process Handbook 2017-18 details major disciplines, corresponding courses and relevant/appropriate branch of Diploma in Engineering Technology. Under the major discipline of Chemical Engineering is included the corresponding courses in Chemical Engineering, Oil and Paint Technology, Petrochemical Engineering, Plastic and Polymer Technology. The Diploma courses, permissible, include the Diploma Course in Plastic Mould Technology and Diploma in Plastic Technology. While the Handbook does appear to support the submission of Sri S.R. Sanku, learned counsel for the appellant-writ petitioner, the question of equivalence is not for the Court to consider, but for respondent Nos. 1 to 3 to examine.

We consider it appropriate, in such circumstances, to direct respondent Nos. 1 and 3 to examine the All India Council for Technical Education Approval Process Handbook (2017-2018), and such other material as the appellant-writ petitioner may place before them; and, in case they are satisfied that the Diploma Course, undergone by the appellant-writ petitioner, in Plastic Technology is equivalent to a

Diploma Course in Chemical Technology, they shall then accord permission to the appellant-writ petitioner to continue to prosecute his second year engineering course in chemical technology.

The appellant-writ petitioner shall be given an opportunity of a personal hearing and, on the basis of the Handbook above referred and such other documents he may choose to produce, Respondent Nos.1 and 3 shall pass orders in accordance with law. The entire exercise, culminating in an order being passed by Respondent Nos. 1 and 3, shall be completed within a period of two weeks from today.

Both Sri V. Ramchander Goud, learned Standing Counsel for Respondent No.2 and Sri A. Abhishek Reddy, learned Standing Counsel for Respondent Nos.1 to 3, undertake to inform respondent Nos. 1 to 3 of their obligations under this order.

The Writ Appeal is disposed of accordingly. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(GUDISEVA SHYAM PRASAD, J)

20th November, 2017

Note:

Furnish c.c. by 22.11.2017.

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