

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Writ Petition No. 28211 of 2017

Chinthalekshmi P.S

... Petitioner

Vs.

1. Tamil Nadu Agricultural University
Represented by their Vice Chancellor,
Lawley Road, Coimbatore - 641 003.
2. JKK Munirajah College of Agricultural Science,
Thookanaichen Palayam,
Gobichettipalayam,
Erode - 638 506.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st and 2nd respondents to approve petitioner's admission for B.Sc Agriculture in the academic year 2017-2021 and issue petitioner's College Identity Card.

For Petitioner :	Mr.Gautham S.Raman
For 1 st Respondent :	Mr.Abdul Saleem
For 2 nd Respondent :	Mr.S.Viswanathan

O R D E R

This Writ Petition has been filed for a direction to direct the 1st and 2nd respondents to approve petitioner's admission for B.Sc (Agriculture) in the academic year 2017-2021 and issue petitioner's College Identity Card.

2. The petitioner having studied in CBSE with Physics, Chemistry and Biology and other subjects, wanted admission to be B.SC (Agriculture) for the academic year 2017-2021 in the JKK Munirajah College of Agricultural Science and that the same has been approved by the University.

3. According to the petitioner, she has studied Physics, Chemistry and Biology and there was no separate subjects as Botany and Zoology and that the petitioner has submitted an on-line application, which was accepted by the University and that the petitioner having paid the fees, the University will have to

approve the admission of the petitioner in the JKK Munirajah College of Agricultural Science, where the petitioner was admitted to pursue her study in B.Sc (Agriculture)

4. The learned counsel appearing for the second respondent/ College has produced the subjects in the prospectus, which makes eligible for admission to all the Undergraduate Programmes, wherein, it has been mentioned that the subjects Physics, Chemistry, Botany, Zoology and Computer Science are required to pursue B.Sc (Agriculture)/ B.Tech (Agricultural Information Technology).

5. The learned counsel appearing for the first respondent/ University would submit that the petitioner's aggregate marks in four subjects would be taken into account as per the ranking procedure as mentioned in the prospectus, which is as under:-

S.No	Degree	[+2] Subject requirements
	CATEGORY Ia	Group I : Mathematics, Physics, Chemistry and Biology
1.	B.Sc (Agriculture)	
2.	B.Sc (Horticulture)	
3.	B.Sc (Forestry)	OR
4.	B.Sc (Food, Nutrition and Dietetics)	
5.	B.Sc (Sericulture)	
6.	B.Tech. (Biotechnology)	Group II : Physics, Chemistry, Biology with a fourth (elective) subject viz., Biotechnology, Microbiology, Biochemistry and Home Science
7.	B.Tech. (Horticulture)	
8.	B.Tech. (Bioinformatics)	
9.	B.S. (Agribusiness Management)	OR Group II (A) : Physics, Chemistry, Botany and Zoology
	CATEGORY Ib	

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S.No	Degree	[+2] Subject requirements
1.	B.Sc. (Food, Nutrition and Dietetics)	Group I : Mathematics, Physics, Chemistry and Biology OR Group II : Physics, Chemistry, Biology with a fourth (elective) subject viz., Biotechnology, Microbiology, Biochemistry and Home Science /Nutrition and Dietetics OR Group II (A) : Physics, Chemistry, Botany and Zoology
	CATEGORY Ic	
2.	B.Tech. (Agricultural Information Technology)	Group III : Mathematics, Physics, Chemistry and Biology OR Group II: Physics, Chemistry, Biology and Compute Science
	CATEGORY II	
1.	B.Tech. (Agricultural Engineering)	Group III:
2.	B.Tech. (Food Process Engineering)	Mathematics, Physics, Chemistry and Biology OR
3.	B.Tech. (Energy and Environment Engineering)	Mathematics, Physics, Chemistry and Computer Science

6. On two scores, the petitioner's case has got to be rejected. Firstly, the petitioner has not filled in the application with correct details and the petitioner has not studied Biotechnology and she has mentioned Biotechnology as one of the course. Secondly, when there are other courses available in the CBSE to pursue Undergraduate Programme B.Sc

(Agriculture) and other Undergraduate Courses as extracted supra from the prospectus, it is seen that the petitioner did not possess necessary subjects for arriving at marks to be admitted in the programme, and hence, the petitioner will not be entitled to the relief sought for in the Writ Petition.

7. Heard the learned counsel appearing for both parties and perused the materials available on record.

8. The petitioner has not studied the Information Technology and there is wrong information given in the application form. On that score alone, this Court is of the considered view that the Writ Petition has got to be dismissed in view of the incorrect information given by the student.

9. That apart, even assuming that the information given in the relevant column in the application form has to be ignored, the Biology studied by the student, cannot be divided as Botany and Zoology and marks would be given. When there is specific mentioning about the basic qualification that is required to pursue B.Sc (Agriculture) and other courses extracted supra, the petitioner did not possess those qualifications. Even though in the school, she had studied the subjects viz., Mathematics, Physics, Chemistry and Biology, the petitioner, having not chosen to study those subjects, would not be entitled to the relief sought in the Writ Petition. Hence, the relief sought for by the petitioner is rejected.

10. Merely because the petitioner has paid the fees to the College/ University, it will not entitle her to pursue the course. The petitioner may join management quota as stated by her and the 2nd respondent/ College is directed to refund the remaining tuition fees, if any to the petitioner, within a period of 15 days from the date of receipt of a copy of this order.

11. With the above directions, the Writ Petition is dismissed. No costs.

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

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To

1. The Vice Chancellor,
Tamil Nadu Agricultural University,
Lawley Road, Coimbatore - 641 003.
2. JKK Munirajah College of Agricultural Science,
Thookanaichen Palayam,
Gobichettipalayam,
Erode - 638 506.

+1 CC to Mr. Abdul Saleem, Advocate sr 25168.

+1 CC to M/s. Doss and Viswa Associates sr 24911.

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SP(11/04/2018)



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