

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.16806 of 2018
and WMP.No.19995 of 2018

S.Aadhieshwer (minor)
rep.by his natural guardian and Mother
S.Malathy .. Petitioner

Vs.

1.The Secretary,
Tamilnadu Engineering Admissions,
Chennai -600025.

2.Anna University
rep. by its Registrar
Chennai -600025. ...Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India, praying for Writ of declaration, declaring the action of the 2nd respondent refusing to consider the certificates (i) 10th Junior National Soft Tennis Championship for the academic year 2014-15 and (ii) 9th State Level Soft Tennis Championship - 2016 for the academic year 2015-16 as illegal and consequently direct the 2nd respondent to include 195 marks (130+65) of the sports certificates for the academic year 2014-15 and 2015-16.

For petitioner : Mr.T.K.Saravanan
For respondents : Mr. M. Vijayakumar

ORDER

The petitioner has come forward with the above Writ Petition praying to declare the action of the 2nd respondent refusing to consider the certificates (i) 10th Junior National Soft Tennis Championship for the academic year 2014-15 and (ii) 9th State Level Soft Tennis Championship - 2016 for the academic year 2015-16 as illegal and consequently direct the 2nd respondent to include 195 marks (130+65) of the sports certificates for the academic year 2014-15 and 2015-16.

2. Heard both sides and perused the materials available on record.

3. The issue in hand is as to whether two certificates issued for the academic year 2014-15 and 2015-16 by Amateur Soft Tennis Federation of India and the 9th State Level Soft Tennis Championship -2016 has got any validity in terms of the conditions stipulated in the prospectus, which were made available to the petitioner at the time of joining the Engineering Course.

4. Though the petitioner participated in the competitions and obtained certificates, the Sports Development Authority of Tamil Nadu (SDAT) has given recognition to the Tamil Nadu Soft Tennis Association only on 05.01.2015 and that affiliation was withdrawn on 31.03.2016.

5. As rightly pointed out by Mr. M. Vijayakumar, learned counsel appearing for the respondents, the affiliation cannot be taken into account for the purpose of considering the case of the petitioner for awarding marks with regard to the allotment of seat in the Engineering College.

6. The case of the petitioner is that he had participated in the competitions for four academic years and for the purpose of allotment of marks while considering the seat in Engineering college, out of four certificates, two have been considered and two have been rejected.

7. Though it appears that the petitioner is a good Tennis Player and for all the four years, he has been recognised as a player, but unfortunately, in the absence of the recognition by the State and District Levels, the certificates issued, more particularly, when the affiliation was withdrawn, cannot be taken into account for the purpose of awarding marks. Taking note of the fact the contention raised by the respondents that the Engineering seats are going vacant every year, this court directs the respondents to consider the case of the petitioner on humanitarian grounds, without reference to any other points raised by both the parties.

8. This Court makes it very clear that the petitioner cannot utilise the observations made in this order for the purpose of getting a seat in Medical course, as the petitioner is not entitled to a seat in Medical College in sports quota.

With the above observation, the Writ Petition stands disposed of. No Costs. Consequently, connected Miscellaneous Petition is closed.

Ak

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary,
Tamilnadu Engineering Admissions,
Chennai -600025.

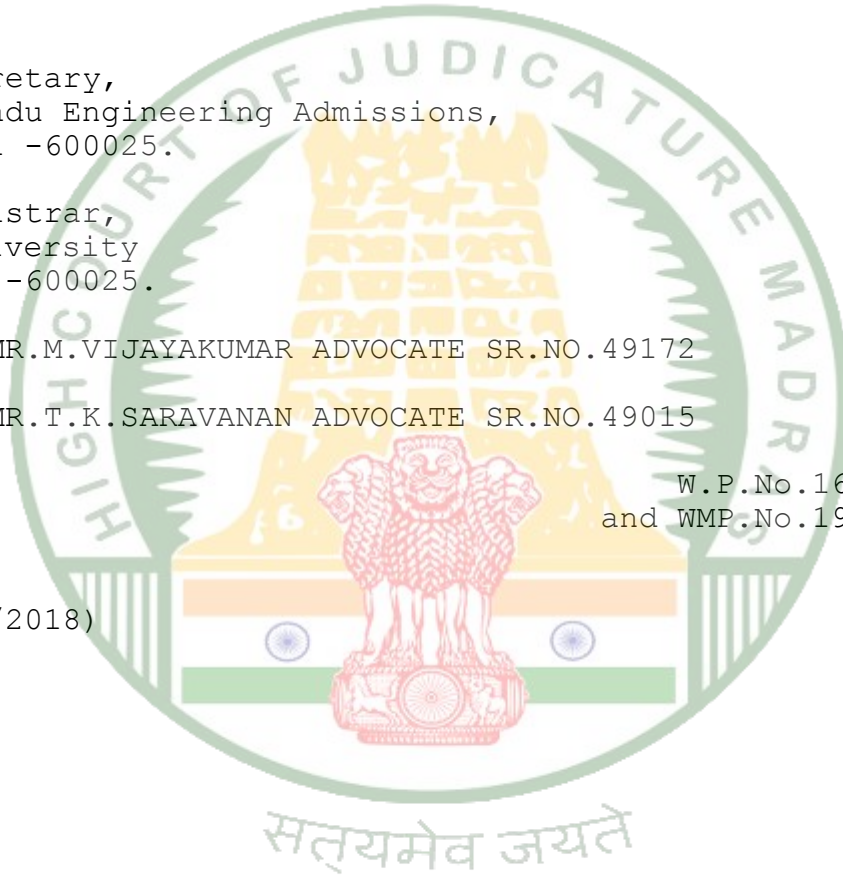
2.The Registrar,
Anna University
Chennai -600025.

+1 CC TO MR.M.VIJAYAKUMAR ADVOCATE SR.NO.49172

+2 CC TO MR.T.K.SARAVANAN ADVOCATE SR.NO.49015

W.P.No.16806 of 2018
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AR (CS-VII)
ASK (02/08/2018)



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