

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

WRIT PETITION No.1801 OF 2018

H.Swathi

...Petitioner

Vs.

1. The Government of Tamil Nadu,
rep. By its Secretary,
Department of Technical Education,
Fort St. George,
Chennai 600 009.
2. The Registrar,
Anna University,
Guindy,
Chennai 600 025.
3. The Controller of Examinations,
rep. By its Director,
Anna University,
Chennai 600 025.
4. The Commissioner of Technical Education,
Guindy,
Chennai 600 025.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the 2nd Respondent i.e. Anna University to approve the Petitioner's admission in B.E. CSE Course of Hindustan College of Engineering and Technology for the academic year 2015-2016.

For Petitioner	:	Mr.M.Vishnu Venkatesh
For Respondents 1 & 4	:	Mrs.V.Annalakshmi, Government Advocate
For Respondents 2 & 3	:	Mr.C.Kulanthaivel

O R D E R

Petitioner has come up with the present Writ Petition seeking a direction to the 2nd Respondent/Anna University to approve her admission in B.E. CSE Course in Hindustan College of Engineering and Technology for the academic year 2015-2016.

2. According to the Petitioner, she belongs to Backward class Community; she completed Standard XII and after attending the Counselling, got admission in Hindustan College of Engineering and Technology under Government Quota during the academic year 2015-2016. At the time of admission, she submitted all the documents except her Community Certificate. Thereafter, she produced her Temporary Community Certificate obtained from the Tahsildar, Coimbatore North and after appearing for the 1st semester Examination, the Petitioner obtained permanent Community Certificate and a copy of the same has been submitted to the Director of Technical Education.

3. Thereafter, a letter dated 04.02.2016 was sent by the Department of Technical Education to the Petitioner's College, requesting the Petitioner to report to Entrance Examination Centre, Anna University, Chennai on 15.02.2016 along with all original Certificates and to get the allotment order released under the Government Quota. Though the Petitioner's College sent reminder letters on 12.05.2016, 17.05.2016 and 17.03.2017 regarding approval of the Petitioner's admission, there was no reply from the Respondents. It is stated by the Petitioner that she is studying 6th semester in B.E. CSE Course and it is her grievance that though she was permitted to write the 1st semester Examination and has complied with the required attendance, the Respondent/University has not issued Hall Tickets to her for II, III, IV and V semesters, for want of approval from the Department of Technical Education.

4. Since the Petitioner was not allowed to write the above semesters, the College in which she is studying requested the Respondent/University, by means of a letter dated 24.07.2017, to accommodate the Petitioner for a seat from Government Quota to Management Quota and a copy of the said letter was forwarded to the Commissioner of Technical Education. Thereafter, on 02.11.2017, a letter was sent by the Director of Technical Education stating that a Four Member Committee is formed by the Commissioner of Technical Education and a report is submitted by them, granting approval of admission to the Petitioner, as a special case.

5. On 03.11.2017, the Petitioner's College sent a letter to the 3rd Respondent/Controller of Examinations, Anna University, requesting them to permit the Petitioner to appear for the University Examinations. The grievance of the Petitioner is that after the approval granted by the Director of Technical Education, a Show Cause Notice dated 08.11.2017 was sent by the Commissioner of Technical Education, as to why no action is taken by Anna University for the violation of admitting the Petitioner without valid allotment order and

allowing her to continue her studies. Being aggrieved by the same, the Petitioner is before this Court.

6. Today, when the matter is taken up for hearing, it is represented by the learned Government Advocate appearing for Respondents 1 and 4 that the Director of Technical Education has granted approval of the Petitioner's admission in B.E. CSE Course and that she could be considered only under the 'Open Category' and not under the 'Reserved category'.

7. Learned counsel appearing for Respondents 2 and 3/Anna University submitted that pursuant to the interim order of this Court dated 09.04.2018, the Petitioner has taken up Examinations in all the Semesters, on which date, her admission to B.E. CSE Course was not approved by the Director of Technical Education. He further submitted that in view of the letter dated 02.11.2017 sent by the Director of Technical Education, the candidature of the Petitioner can be considered, if appropriate orders are passed by this Court.

8. At the end of arguments, learned counsel for the Petitioner submitted that as a subsequent development, the Petitioner has been granted approval of admission for B.E. CSE Course under 'Open Category' and allotment order to that effect has been granted to her.

9. Recording the submissions made by the learned counsel on either side, as the Petitioner's candidature has been considered under 'Open Category' and that she has been issued with an allotment order, the Writ Petition stands disposed of with a direction to the Respondents concerned to declare the Examination results of the Petitioner. No costs. Consequently, connected W.M.P.No.2225 of 2018 is closed.

Sd/-

Assistant Registrar (CS-ix)

//True Copy//

(aeb)

Sub Assistant Registrar

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To:

1. The Secretary,
Government of Tamil Nadu,
Department of Technical Education,
Fort St. George,
Chennai 600 009.

2. The Registrar,
Anna University,
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Chennai 600 025.

3. The Director,
Controller of Examinations,
Anna University,
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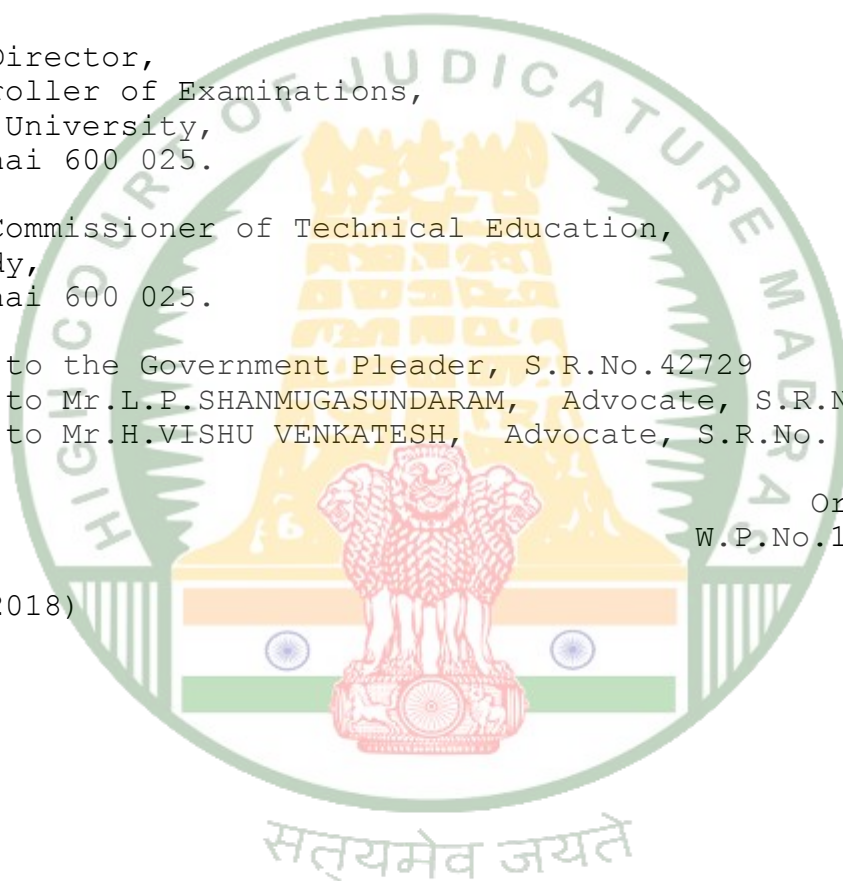
+1cc to the Government Pleader, S.R.No.42729

+1cc to Mr.L.P.SHANMUGASUNDARAM, Advocate, S.R.No.43305

+1cc to Mr.H.VISHU VENKATESH, Advocate, S.R.No. 42236

Order in
W.P.No.1801 of 2018

TR(09/07/2018)



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