

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE C.SARAVANAN

Writ Petition No.21515 of 2019
and

W.M.P.No.20716 of 2019

Minor M.Harthi
represented by her father and
Natural Guardian L.Moorthi
Periyanur Pudupet,
Panchapalli Post,
Palacode Taluk,
Dharmapuri District.

...Petitioner

Vs

1.The Collector,
Dharmapuri District,
Dharmapuri.

2.The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

3.Indian Institute of Food Processing
Technology,
Thanjavur - 613 005.
represented by its Director

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing third respondent to admit the petitioner provisionally for admission to the B.Tech (Food Technology) course without insisting upon the production of Community Certificate from the second respondent and consequently, direct the first respondent to pass orders on the appeal preferred by petitioner dated 15.09.2017 for issuance of Community Certificate.

For Petitioner : Mr.S.Doraisamy

For Respondents: Mr.V.Shanmuga Sundar
Special Government Pleader

O R D E R

[Order was made by R.SUBBIAH, J]

Petitioner has filed the present Writ Petition seeking issuance of a Writ of Mandamus directing third respondent to admit the petitioner provisionally for admission to the B.Tech (Food Technology) course without insisting upon the production of Community Certificate from the second respondent and consequently, direct the first respondent to pass orders on the appeal preferred by petitioner dated 15.09.2017 for issuance of Community Certificate.

2. Heard learned counsel for petitioner and learned Special Government Pleader for respondents.

3. When the matter came up for hearing on 19.07.2019, learned counsel for petitioner submitted that the appeal preferred by petitioner against the order of rejection passed by second respondent was pending on the file of first respondent and hence, a direction may be issued to third respondent to admit the petitioner provisionally for admission to the B.Tech (Food Technology) course without insisting upon production of Community Certificate. However, learned Special Government Pleader for respondents submitted that an order of rejection has been passed on 10.07.2019 and sought time to get instructions there regards. Considering the said submissions, this Court directed as follows:

'Having regard to the submissions of the counsel for both sides, there will be an interim direction directing the third respondent to admit the petitioner provisionally for the admission to B.Tech (Food Technology) course without insisting upon the production of Community Certificate from the second respondent pending disposal of the Writ Petition.'

4. Today, when the matter is taken up for hearing, learned Special Government Pleader submits that the first respondent has passed an order on 11.07.2019 rejecting the appeal preferred by petitioner.

In the aforesaid circumstance, the Writ Petition is dismissed. However, petitioner is at liberty to file an appeal as per G.O.Ms.No.147, Revenue RA 3(2) Dept. dated 17.03.2016 before the competent authority. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gm

To

- 1.The Collector,
Dharmapuri District,
Dharmapuri.
- 2.The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.
- 3.The Director,
Indian Institute of Food Processing Technology,
Thanjavur - 613 005.

+1cc to Mr.Duraisamy, Advocate, S.R.No.62281

+1cc to the Government Pleader, S.R.No.63347

Writ Petition No.21515 of 2019

MG (CO)

RRS (29/08/2019)

सत्यमेव जयते

WEB COPY