

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.08.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.22015 of 2019
and W.M.P.Nos.21262 & 21263 of 2019

D.Praveen Kumar

...Petitioner

Vs

1.The Principal,
Presidency College (Autonomous),
No.100, Kamarajar Salai,
Chepauk, Chennai-600 005.

2.The University Grants Commission,
Rep.by its Joint Secretary,
Bahadur Shal Zafar Marg,
New Delhi-110 002.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari Mandamus to call for the records relating to the Prospectus dt 15.04.2019 issued by the first respondent institute and to quash the eligibility criteria/order of preference in so far as Master of Social Work course is concerned and consequently direct the first respondent to prescribe the eligibility criteria as per the Guidelines issued by the second respondent and consequently consider the petitioner for the course of Master of Social Work (MSW) in the first respondent institute, in pursuance of the application already submitted.

For petitioner : Mr.S.Namasivayam

For Respondents : Mr.V.Kathirvelu
Spl. Govt. Pleader for R1

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the 1st respondent.

2. The grievance of the petitioner herein is that he is an Engineer as well as law graduate desirous to do Master of

Social Work (MSW). Hence, he applied for admission in the 1st respondent college to join MSW in the academic year 2019-2020. The written examination for the applicants was held on 22.07.2019 and followed by Group Discussion on 23.07.2019. The petitioner was not called for participating in the written examination which he came to know later. Thereafter he approached the authorities of the 1st respondent informed that being an autonomous, they have own rules and eligibility criteria in which, they have specifically resolved that professional UG degree holders are not eligible for admission in MSW course.

3. The contention of the petitioner herein is that there cannot be a discrimination in considering the application of the professional degree holders for MSW course. Since it is common Social Science, wherein, any person interested in Social work any UG degree should be eligible. Further, it is contended by the learned counsel for the petitioner that Dr.Ambedkar Government Arts College which is also an Autonomous college affiliated to Madras University does not debar professional degree holders for getting admission for the MSW degree course.

4. The 1st respondent appearing through the learned counsel would contend that the Board of Studies of the 1st respondent college has resolved to prescribe eligibility for the MSW course wherein, it was decided professional graduates possessing LLB/BL/ML/MBA/ME/BE/MBBS etc., are not eligible. This resolution is inconsonance with the Madras University Regulations, wherein, it is stated that admission to Post-Graduate course, the eligibility shall be B.Sc./B.A./B.Com/BBA/BCA degree examination of recognized universities passed under 10+2+3 (or) 11+1+3 pattern alone are eligible.

5. The learned counsel for the respondents also circulated the Hand Book on Integrated Common Regulations Under CBCS for the Post Graduate programs offered affiliation in the affiliated Arts and Science Colleges.

6. On perusal, the scrutiny of the Hand book, this Court finds that though the common instructions have been said as general instructions for the candidate prescribing provisional eligibility for admission in the PG course in annexure 1 of the hand book. The eligibility for admission to M.A., M.S.W., degree program under Faculty of Arts specifically has stated as pass in any Under Graduate degree program offered by any College or University recognized by the UGC. This makes clear that for MSW PG course, any UG degree recognized by the UGC will be eligible. Therefore, discriminating professional graduate getting admission in MSW course in the 1st respondent college is illegal

and against the University guidelines. Having observed so, this Court is unable to grant the relief to the petitioner herein since the admission for the 16 seats in the 1st respondent's college, already over even before the writ petition was taken up for consideration.

7. In such circumstances, holding that the clause excluding professional degree holders getting admission into MSW degree course in the 1st respondent college is illegal and contrary to the guidelines of the University, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

8. The 1st respondent college is directed to delete the ineligibility clause discriminating professional degree holders and make all Under Graduate course recognized by the UGC eligible to participate and to get admission in MSW course offered by the 1st respondent college.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

rpl

To

1.The Principal,
Presidency College (Autonomous),
No.100, Kamarajar Salai,
Chepauk, Chennai-600 005.

2.The Joint Secretary,
The University Grants Commission,
Bahadur Shal Zafar Marg,
New Delhi-110 002.

+1cc to Mr.S.Namasivayam Advocate, S.R.No.67656

+1cc to the Government Pleader, S.R.No.68116

NRJK(CO)
CB(24/09/2019)

Writ Petition No.22015 of 2019
and W.M.P.Nos.21262 & 21263 of 2019