

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.08.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.23883 of 2019
and W.M.P.Nos.23723 & 23724 of 2019

Minor K.Gokulnath .. Petitioner
Rep by his Mother and Natural Guardian
K.Krishnaveni

/versus/

- 1.Government of Tamilnadu,
Rep.by Secretary,
Higher Education Department,
Namakkal Kavignar Maaligai,
Fort St.George, Chennai-600 009.
- 2.The Director of Technical Education,
53, Sardar Patel Road, Guindy,
Chennai-600 025.
- 3.The Registrar,
Anna University,
Guindy, Chennai-600 025.
- 4.P.A.College of Engineering and Technology,
Palladam Road, Pollachi-642 002. .. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certioaraified Mandamus, calling for the records of the 2nd respondent pertaining to the communication dated 26.07.2019 and quash the same declining to allot/admit the petitioner in Bachelor Engineering (Computer Science and Engineering) course in the 4th respondent college pursuant to the Tamilnadu Engineering Admission counselling 2019-2020 held on 23.07.2019 to 25.07.2019 and consequentially direct the respondents to consider the candidature of the petitioner for admission to Bachelor of Engineering (Computer Science and Engineering) in the 4th respondent college under Schedule Caste (General) category pursuant to the supplementary counselling held on 30.07.2019 in the Tamilnadu Engineering Admission Counselling 2019-2020.

For petitioner : Mr.K.J.Parthasarathy
For Respondents : Mr.V.Kathirvelu,
Spl.Govt.Pleader for R1 and R2
Mr.M.Vijayakumar
Standing counsel for R3

O R D E R

Heard the learned counsel for the petitioner and the learned counsels appearing for the respondents.

2. The case of the petitioner is that, he belongs to Scheduled Caste (Arunthathiyar) community and had passed the Higher Secondary Examination in the year 2019. He participated in the Engineering College admission counselling, which was scheduled on 23.07.2019. On that day the Coordinator informed him that there is no vacancy for B.E.(Computer Science and Engineering) in the scheduled caste (Arunthathiyar) category.

3. The grievance of the petitioner is that when the candidates, who scored lesser marks from Scheduled Caste (General) category, has been allotted to the very same 4th respondent college in the counselling. The petitioner has been deprived of the seat contrary to the G.O.Ms.No.50 dated 29.04.2009 and G.O.Ms.No. 61 dated 29.05.2009.

4. The respondents herein after notice reported that on the day of counselling, the petitioner was not present till the end to exercise his option and he left the counselling center much before the seat allotment.

5. The said contention is contradicted by the learned counsel appearing for the petitioner who says that till midnight he was present in the counselling center. It is not certain whether the petitioner has really participated and present in the counselling center till the end of the day.

6. The learned counsel for the respondents further submits that if there is any vacancy, they will consider the candidature of the petitioner and allot the seat to him.

7. In view of the above submission, this Court directs the 3rd respondent herein to consider the candidature of the petitioner and allot the seat according to his merit subject to the availability and communicate the same to the petitioner on or before 30.08.2019.

8. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

rpl

To

1. The Secretary,
Government of Tamilnadu,
Higher Education Department,
Namakkal Kavignar Maaligai,
Fort St. George, Chennai-600 009.

2. The Director of Technical Education,
53, Sardar Patel Road, Guindy,
Chennai-600 025.

3. The Registrar,
Anna University,
Guindy, Chennai-600 025.

+1 CC to Mr. K. J. Parthasarathy, Advocate sr 73738.

+1 CC to Mr. M. Vijayakumar, Advocate sr 74008.

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सत्यमेव जयते

VBA (CO)
SP (28/08/2019)

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