

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 17.10.2019

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Writ Petition No.27521 of 2019

and

W.M.P.Nos.27006 & 27007 of 2019

T.Kirubamohan ... Petitioner

Vs.

1.The State of Tamilnadu
Rep. by its Secretary to Higher Education Department
Fort St. George
Chennai 600 009

2.The University of Madras
Rep. by the Vice Chancellor
Navalar Nagar, Chepauk
Chennai 600 005

3.The Head of the Department
Department of Philosophy
The University of Madras
Navalar Nagar, Chepauk
Chennai 600 005 ... Respondents

Prayer :- This Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of declaration, declaring the proceedings of the 2nd respondent university dated 28.08.2019 by not approving the petitioner's admission in M.A.(Buddhism) course and discontinuing his studies as illegal, arbitrary and contrary to law and consequently direct the 2nd respondent university to permit the petitioner to continue his studies and complete the course.

For Petitioner :Mr.N.R.Elango, Senior counsel
for M/s.S.Jim Raj Milton

For Respondents :Mr.Vijay Narayanan
Advocate General

Assisted by Mr.S.Suresh Kumar
Government Advocate for R1

Mr.Stalin Abimaya
Government Advocate for R2 & R3

ORDER

This petition has been filed by the petitioner to declare the proceedings of the 2nd respondent university dated 28.08.2019 by not approving the petitioner's admission in M.A.(Buddhism) course and discontinuing his studies as illegal, arbitrary and contrary to law and consequently direct the 2nd respondent university to permit the petitioner to continue his studies and complete the course.

2.Heard the learned Senior counsel for the petitioner and the learned Advocate General appearing for the University of Madras.

3.The petitioner herein who had his Under Graduate Course in Engineering at Anna University and completed Post Graduate M.A. Degree in Journalism, has applied for M.A. Degree in Buddhism at University of Madras. The petitioner was issued with an order dated 31.07.2019 granting admission to M.A. Degree Course (Buddhism) for the Academic year 2019-2020 in the Department of Philosophy, University of Madras and the petitioner was also asked to appear before the Head of Department (HOD) of Philosophy on 11.08.2019 with the following documents:

- 1.Degree or Provisional Certificates of the qualifying examinations.
- 2.Grade / Statement of Marks
- 3.Transfer Certificate
- 4.Conduct Certificate
- 5.S.S.L.C. Book or any other equivalent document recognised in proof for date of birth.
- 6.Community Certificate issued by the competent Revenue Officer if the candidate belongs to the SC/ST/BC/MBC/ENC or any other who comes under reservation.
- 7.In the case of candidate who has passed the qualifying examination from other Universities, an Eligibility Certificate issued by the Registrar, of this University should be produced.

4.The candidate in fact has appeared before the HOD

on the very same day and furnished certain documents along with requisite fee. Later on scrutiny the HOD found that the petitioner has not furnished the recommendation letter from the HOD, the petitioner has undergone the Post Graduate course (Department of Journalism) and the equivalent certificate in respect of Under Graduate degree (B.E.) he obtained from Anna University. Therefore, the 3rd respondent has cancelled the admission to the petitioner and intimated the same to him vide letter dated 28.08.2019. The said rejection of admission is challenged in this writ petition.

5. After hearing the learned Senior Counsel for the petitioner as well as the learned Advocate General appearing for the University of Madras, this court is of the opinion that the petitioner need not have approached this court hurriedly. Had he approached the concerned department HOD to issue equivalent certificate and recommendation letter respectively, the matter would have been sorted out. Any event having come to this Court, this Court directs the petitioner herein to make appropriate application to the University for issuance of equivalent certificate and to the HOD of Journalism department of University of Madras to issue recommendation letter.

6. On receipt of those two certificates, the same may be submitted to the HOD of Philosophy department for appropriate consideration. The entire process shall be completed within a period of three weeks from the date of application made by the petitioner for those two certificates.

7. With the above directions, this writ petition stands disposed of. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (insp cell)

//True Copy//

Sub Assistant Registrar

kas

To.

1. The State of Tamilnadu

Rep. by its Secretary to Higher Education Department

Fort St. George

Chennai 600 009

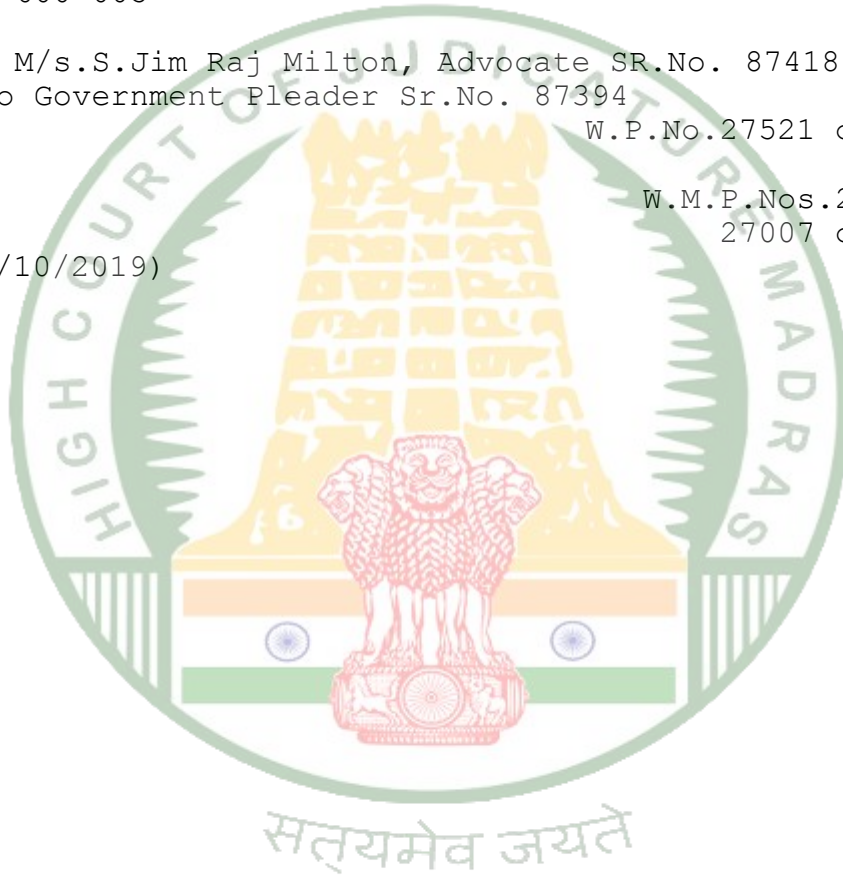
2.The University of Madras
Rep. by the Vice Chancellor
Navalar Nagar, Chepauk
Chennai 600 005

3.The Head of the Department
Department of Philosophy
The University of Madras
Navalar Nagar, Chepauk
Chennai 600 005

+1cc to M/s.S.Jim Raj Milton, Advocate SR.No. 87418
+1 cc to Government Pleader Sr.No. 87394

W.P.No.27521 of 2019
and
W.M.P.Nos.27006 &
27007 of 2019

A.SK(18/10/2019)



WEB COPY