

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.10.2019

Coram:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.30192 of 2019
and
W.M.P.No.30162 of 2019

G.Niveditha

.. Petitioner

/versus/

1.The Chairman,
Committee to Regulate-Monitor the
Admissions, F1, DOTE Staff Quarters,
Gandhi Mandapam Road, Guindy,
Chennai 600 025.

2.The Director,
MEASI Academy of Architecture
'Association Gardens'
No.87, Peters Raod,
Royapettah, Chennai 600 014.

3.The Principal,
MEASI Academy of Architecture
'Association Gardens'
No.87, Peters Raod,
Royapettah, Chennai 600 014.

4.The Director of Technical Education,
Guindy, Chennai 600 025.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 4th respondent to grant approval to the admission of the petitioner as per the letter of the 2nd respondent dated 30.08.2019 and the recommendation of the 3rd respondent dated 12.09.2019.

For Petitioner

:Ms.G.Thilagavathy, Sr.C.
for Mr.R.Gopinath

For Respondents

:Mr.V.Kathirvelu,
Spl.G.P. for R1 and R4
Mr.Abdul Rahim
for R2 and R3

O R D E R

The matter came up for admission yesterday i.e. on 22.10.2019, notice was served to the learned counsel appearing for the respondents and they were appeared before this Court with all relevant records. Hence, by consent the writ petition is taken up for final disposal.

2. The case of the petitioner is that she completed 12th standard securing 427 marks out of 600 and also attended the National Aptitude Test in Architecture (in short "NATA") 2019 with intention to join B. Arch course. In the said NATA Examination, she secured 92 marks out of 200. During the counselling, she was allotted a seat in Darvince College of Architecture, Old Mahabalipuram under the Government quota. Later, when she came know that there is an vancancy in the second respondent Institute, she sought for admission in that Institute under the lapsed government quota seat, since the candidate by name Jeyasuriya, who was allotted the seat in the second respondent college under the Management quota during the counselling has opted out and took Transfer Certificate. The second respondent college has provisionally admitted the petitioner in their institute under the lapsed government quota seat subjected to the approval from the Director of Technical Education.

3. The correspondence between the Institute and the Director of Technical Education indicates that when the Institute sought for ratification of the petitioner's admission under the Government quota lapsed seat, the Chairman of the Committee to Regulate-Monitor the Admissions has addressed a letter dated 09.10.2019 to the third respondent, the Principal, Measi Academy of Architecture to submit the details of the admission of the petitioner in their institute against the government quota lapsed seat. It appears that the Institute has not properly responded to this letter.

4. The learned Special Government Pleader appearing for respondents 1 and 4 submit that if the 2nd respondent forwards the details sought vide letter dated 09.10.2019 and records are satisfactory, the first respondent will forward his recommendation to the fourth respondent-the Director of Technical Education, who is the authority to formally ratify the admission, after verifying the genuineny of the certificate.

5. It appears that due to the improper communication between the Department and the Institute, the petitioner, who has been made to believe that her admission in the second respondent college will be ratified is now under threat of depriving seat. Records shows, fees was collected from the petitioner by way of Demand Draft on 29.08.2019 and all her original certificates have also been collected by the 2nd respondent. Unfortunately, now the third respondent has stopped permission to the petitioner from attending the classes until the fourth respondent approves the admission.

6. In the above said facts and circumstances, this Court is of the view that the 2nd respondent shall forward all the necessary details sought by the first respondent vide letter dated 09.10.2019 within a period of three days from today and on receipt of the details, the first respondent shall scrutinize the same and forward his recommendation to the fourth respondent. The fourth respondent, on receiving such recommendation, shall pass appropriate orders regarding the admission of the petitioner in the second respondent Institute under the government quota lapsed seat expeditiously.

7. Accordingly, this writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To:

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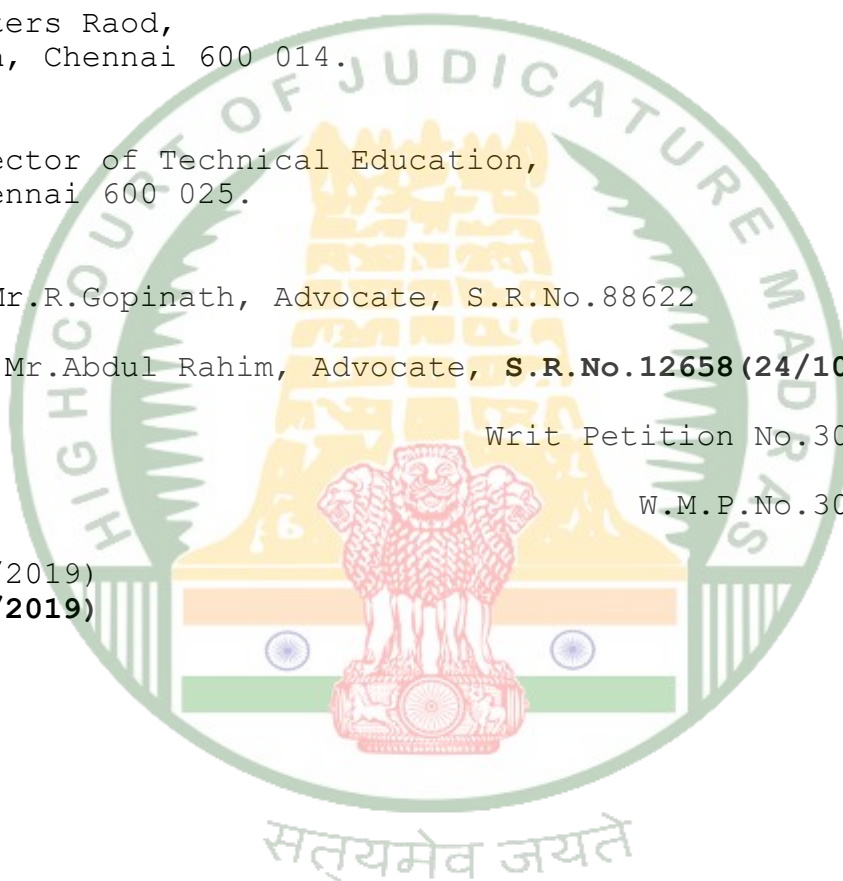
4.The Director of Technical Education,
Guindy, Chennai 600 025.

+1 cc to Mr.R.Gopinath, Advocate, S.R.No.88622

+2 ccs to Mr.Abdul Rahim, Advocate, **S.R.No.12658(24/10/2019)**

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RR(CO)
SSM(23/10/2019)
SSM(24/10/2019)



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