



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2019

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.16332 of 2019
and W.M.P. (MD) .No.12982 of 2019

K.Muralitharan

... Petitioner

-Vs-

1.The Chairman

Board of L.L.B., 5 year Degree Admissions - 2019 - 2020
The Tamilnadu Dr.Ambedkar Law University,
Poompozhi, No.5, Dr.D.G.S.Dhinakaran Salai,
Chennai - 28.

2.Tamilnadu Dr.Ambedkar Law University,
represented by the Vice Chancellor,
Poompozhi, No.5, Dr.D.G.S.Dhinakaran Salai,
Chennai - 28.

3.The Director of Legal Studies,
Office of the Director of Legal Studies,
Millers Road, Kilpakkam,
Chennai.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondent No.1 to permit the petitioner to participate in B.C.A., L.L.B., (Hons.), 5 years Integrated Honours Degree Course counselling for the law admission for the academic year (2019-2020) in School of Excellence in Law, the Tamilnadu Dr.Ambedkar Law University and admit the petitioner in B.C.A., L.L.B., (Hons.) 5 years Integrated Degree Course within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.Parthiban, for R1 and R2
Standing counsel
Mr.C.M.Mari Chelliah Prabhu for R3
Additional Government Pleader



ORDER

The prayer sought for in this writ petition is for issuance of Writ of Mandamus, to direct the respondent No.1 to permit the petitioner to participate in B.C.A.LLB(Hons.) 5 years integrated Honours Degree Course counselling for the law admission for the academic year 2019-2020 in the School of Excellence in Law, The Tamilnadu Dr.Ambedkar Law University and admit the petitioner in B.C.A.,LLB (Hons.) 5 years Integrated Honours Degree Course within the time stipulated by this Court.

2.Heard Mr.R.Alagumani, learned counsel appearing for the petitioner and Mr.Parthiban, learned Standing counsel appearing for 1st and 2nd respondents and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the 3rd respondent.

3.The petitioner made an application for admission in B.B.A., LLB., (Hons). 5 years Integrated Degree course in Tamilnadu Dr.Ambedkar Law University for the academic year 2019-2020. After having processed the application and based on the ranking list, since the petitioner had not reached the zone of consideration based on the quota of him under his communal category and general category, his candidature has been rejected and no admission has been given. In this regard, it is the case of the petitioner that, though he applied for B.B.A., L.L.B., (Hons.) Course, where he got a cut off mark of 69.25, he would not at all reach the zone of consideration under SC category, as the petitioner belongs to that community. However in B.C.A., L.L.B., (Hons.) Course, the cut off mark for SC candidate is 68.25. Therefore the petitioner can be accommodated in B.C.A., L.L.B., (Hons.) based on his marks obtained (i.e.,) 69.25.

4.However, Mr.Parthiban, learned Standing Counsel appearing for 1st and 2nd respondents has made a submission that, there are four categories of 5 years integrated law courses being conducted by the respondent University such as B.A., LLB., (Hons.), B.B.A., L.L.B., (Hons.), B.Com., L.L.B.(Hons.) and B.C.A., L.L.B.(Hons.). Out of these four courses, one common application would be enough for B.A., L.L.B., (Hons.) and B.B.A., L.L.B., (Hons.). Insofar as B.Com., L.L.B., (Hons.), and B.C.A., L.L.B., (Hons.)., are concerned two separate applications are provided, which should have been made by the candidate, who seeks admission in that branch. All these applications are not interchangeable and once the candidate made application in one particular course, he cannot seek admission in other course, unless he made a separate application to that Course.

5.Here, in the case in hand, admittedly the petitioner had made an application only for B.B.A., L.L.B., (Hons.), Course and if at all, vacancy available in B.A., L.L.B., (Hons.), Course, there can be some justification for the petitioner to seek admission in that course. However, for B.C.A., L.L.B., (Hons.), Course, since no



application has been made, the petitioner, by citing the cut off mark in that Course, i.e., 68.25 in Scheduled Caste community, quota, cannot seek admission by way of altering the course and therefore the same is not permissible.

6.I have considered the said submission made by the learned counsel on both sides and perused the materials placed before this Court.

7.Admittedly, the petitioner had made only one application (i.e.,) for both B.A., L.L.B., (Hons.) and B.B.A., L.L.B., (Hons.) and no application admittedly made by the petitioner either for B.C.A., L.L.B., (Hons.), or B.Com., L.L.B.(Hons.), and when that being so, the petitioner cannot have any justification to seek admission in B.C.A., L.L.B., (Hons.), merely because the cut off mark for the said course under SC quota fixed at 68.25, where as the petitioner has got 69.25.

8.If this kind of interchanging is permitted, then there will be a total chaos and confusion in the entire admission undertaking by the respondent University.

9.Law is well settled in this regard that, whatever application has been made and signed by the party to any institution for admission, only in respect of such application, the conditions imposed therein or the instructions given in the prospectus to that effect between the parties would be binding both of them and there can be no deviation and variation accepted for making application.

10.Since the petitioner admittedly has not made application for B.C.A., L.L.B., (Hons.), Course, for which a separate application has been prescribed, the petitioner cannot seek indulgence of this Court for issuance of Mandamus.

11.In that view of the matter, this writ petition fails and hence, the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Chairman

Board of L.L.B., 5 year Degree Admissions - 2019 - 2020
The Tamilnadu Dr.Ambedkar Law University,
Poompozhi, No.5, Dr.D.G.S.Dhinakaran Salai,



2.Tamilnadu Dr.Ambedkar Law University,
represented by the Vice Chancellor,
Poompozhi, No.5, Dr.D.G.S.Dhinakaran Salai,
Chennai - 28.

3.The Director of Legal Studies,
Office of the Director of Legal Studies,
Millers Road, Kilpakkam,
Chennai.

+1 CC to M/s.R.PARTHIBAN, Advocate SR-78911.

+1 CC to SPL GP SR-78883.

Order made in
W.P. (MD) No.16332 of 2019

Dated:
30.07.2019

CS (09.09.2019) 4P 6C