



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.10684 of 2021

& WMP No.11313 of 2021

K.Aravazhi

....

Petitioner

Vs

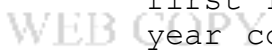
1. The Registrar cum Chairman,
The Tamil Nadu Dr.Ambedkar Law University,
School of Excellence in Law,
'Poompozhi', 5, Dr.D.G.S.Dhinakaran Salai,
Chennai-600 028.
2. The Secretary,
Bar Council of India,
No.21, Rouse Avenue,
Institutional Area,
New Delhi-110 002.
3. The Secretary,
Bar Council of Tamil Nadu,
Bar Council Building,
High Court Campus, Chennai-600 104.
4. The Principal,
Government Law Collage at Trichy,
Race Course Road, near Anna stadium,
Tiruchirapalli-620 023.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to admit the petitioner in first year L.L.B, 3 year course for the academic year 2020-2021, as per their email dated 02.03.2021 addressed to the petitioner.

For Petitioner : M/s.R.Malaichamy

For Respondents : Dr.A.Thiagarajan, Senior counsel
for Mr.Vasanth Kumar, Standing
counsel for R1
Mr.C.K.Chandrasekar, for RR2 & 3





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first respondent has pointed out that in paragraph No.5 of the counter affidavit, the "mode of qualification" has been specifically prescribed in Prospectus that a candidate who studied Higher Secondary Education in regular mode only, is eligible for admission into LLB course. Whereas, the petitioner has undergone the Diploma course which is not equivalent to the Higher Secondary course. In support of his contention, the learned Senior counsel drew the attention of this Court to the order passed by this Court in W.P.No.15278 of 2019 dated 24.07.2019, particularly, paragraphs 17 to 19, which are extracted hereunder:

17.The word Senior Secondary School course (+2 or equivalent) means an equivalent certificate of Senior Secondary School alone and not any other certificate, such as, Diploma degree, etc.

18.This has been very much considered in the said Rule 5(b) that, such as 11+1, 'A' level in senior school leaving certificate from recognized university of India or outside, Senior School Leaving Certificate Course from a Senior Secondary Board or equivalent.....?

19.A senior secondary school course certificate/A'' level or senior school certificate means either +2, i.e., 10+2 system or 11+1 system or equivalent school final senior secondary level course or certificate."

6. He further submitted that there is no equivalence has been granted to the petitioner by the concerned authorities for consideration of the petitioner's selection to the admission of 3 year LL B course. Therefore, the first respondent has rightly rejected the claim of the petitioner by denying the admission in the 3 year LLB course.

7. On considering the aforesaid submission made by the learned counsel on either side and on perusing the materials, the entire issues revolved on the eligibility of the petitioner for admission to the 3 year LLB course based on a Diploma Course obtained by the petitioner.

8. After taking note of afore said decision of this Court in W.P.No.15278 of 2019 dated 24.07.2019, the learned counsel for the petitioner has fairly accepted that so far no equivalence of Diploma in Civil Engineering is par with the Higher Secondary



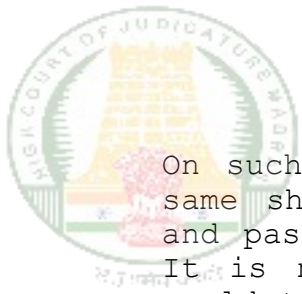
course, has been granted by the State Government or by any authority. The petitioner has submitted that even in the G.O. 242 Higher Education Department dated 18.12.2012, 10+3+3 Degree is considered as equivalent to 10+2+Degree and that 10+2 has been prescribed for the candidates who are seeking admission for 5 year LLB course and as such, since the petitioner has undergone 10+3+3, he is eligible for admission to the 3 year LLB course.

9. This Court in W.P.No.15278 of 2019 dated 24.07.2019 has elaborately discussed that in order to get admission in Diploma course, a person must have completed 10th standard and after completing the Diploma, especially, in Engineering Scheme, the Diploma holder may be eligible to admit in Engineering Degree Programme of the concerned discipline, directly in the second year of the four years Engineering Degree Programme, by way of lateral entry scheme. Therefore, it makes abundantly clear that, the Diploma course cannot be treated as the +2 course either from State Board syllabus or from the CBSE syllabus. Therefore, at any rate, the Diploma in Civil Engineering cannot be treated as equivalent to the Higher Secondary course, therefore, the respondent has rightly rejected the claim of the writ petitioner. Hence, this Court has concurred with the arguments advanced by the learned Senior counsel for the 1st respondent/University and Mr.C.Chandrasekhar learned counsel appearing for the Bar Council of Tamil Nadu who also took the same stand.

10. In the light of the above, the writ petitioner is not eligible to the admission to 3 year LLB course. Thus, the contention of the writ petitioner is liable to be rejected.

11. At this stage, the learned counsel for the petitioner undertakes before this Court that he will make an application before the Secretary to Government, Higher Education Department to consider the issue regarding the equivalence of Diploma in Civil Engineering on par with the Higher Secondary course.

12. The Secretary to Government, Higher Education Department is the competent authority to take a decision in regard to the equivalence of the Diploma Course in Civil Engineering on par with the Higher Secondary Course. Now in the light of the submissions of the parties are concerned and the decisions cited supra, this Court is not inclined to grant any relief as prayed for by the petitioner in the Writ Petition. As requested, a liberty is granted to the petitioner to make an application to the Secretary to Government, Higher Secondary Education Department, within a period of two weeks from the date of receipt a copy of this order, enclosing a copy of this order.



On such application being made to the authority concerned, the same shall be considered on merits and in accordance with law and pass appropriate final orders as expeditiously as possible. It is needless to state that the Secretary to the Government would take a decision at the earliest point of time taking into consideration of the plight of the petitioner.

13. With the above observation, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The Registrar cum Chairman,
The Tamil Nadu Dr.Ambedkar Law University,
School of Excellence in Law,
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+1cc to M/s.R.Malaichamy, Advocate, S.R.No.31612

W.P.No.10684 of 2021

CP(CO)
BE(22/07/2012)