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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2021

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THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No. 13453 of 2021

and

W.M.P.No.14332 of 2021

Kurugonda Sanjay

..Petitioner

Vs

1. Directorate of Technical Education (DoTE),
Rep. by The Commissioner,
53, Sardar Patel Road, Guindy,
Chennai-600025.
2. The Member Secretary,
Tamil Nadu State Council for Technical Education,
Lady Willingdon College Campus,
Kamarajar Salai, Triplicane,
Chennai-600005.
3. All India Council for Technical Education (AICTE),
Southern Regional Office,
Shastri Bhavan,
26, Haddows Road,
Chennai-600006.
4. The Vice Chancellor/Registrar,
Anna University,
Guindy, Chennai-600025.
5. Rajalakshmi Engineering College,
Rep. by its Principal,
Rajalakshmi Nagar,
Thandalam, Chennai-602105.

..Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India for writ of certiorarified Mandamus, calling for the records in Letter No.33693/ECAI/2018 dated 30.11.2018 on the file of the 1st respondent and quash the same and further direct the 1st and 2nd respondents to grant approval for the admission of the Petitioner in the B.E. Mechatronics Course for the



Academic years 2018-2021 under the Lateral Entry Category by the 5th respondent college.

For Petitioner : Mr.N.Ramakrishnan

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For Respondent No.1 & 2 : Mr.A.Selvendran, GA
Respondent No.3 : Mr.B.Rabu Manohar, AICTE
Respondent No.4 : Mr.M.Vijayakumar,
Anna University
Respondent No.5 : No Appearance

O R D E R

Prayer sought for in this writ petitions is to calling for the records in Letter No.33693/ECAI/2018 dated 30.11.2018 on the file of the 1st respondent and quash the same and further direct the 1st and 2nd respondents to grant approval for the admission of the Petitioner in the B.E. Mechatronics Course for the Academic years 2018-2021 under the Lateral Entry Category by the 5th respondent college.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 & 2, the learned Standing Counsels appearing for the respondents 3 & 4 and perused the records.

3. The case of the writ petitioner is that the writ petitioner has studied 3 years ECE diploma course in the year 2018 and joined B.E(Mechatronics) for the academic year 2018-2019, 2020-2021 under the lateral entry category in the 5th respondent college under the Management quota. The 1st respondent vide letter dated 30.10.2018 refused to recognize the admission of the petitioner to the B.E. Mechatronics Course under the Lateral Entry Category stating that Diploma holders in ECE cannot pursue the Mechatronics course even though no such restriction imposed by the 3rd respondent/AICTE. The 5th respondent/College made several requests to the 1st respondent to approve the admission of the petitioner to the B.E Mechatronics Course. Since no response from the 1st respondent, the petitioner has filed the present writ petition.

4. The learned counsel appearing for the petitioner has submitted the certificates before the 5th respondent/College viz., 10th Mark Sheet Higher Secondary Certificate, Diploma Certificate, Transfer Certificate, and Community Certificate. But the petitioner's admission approval was not accorded by the 1st respondent vide order in Letter No. 33693/ECAI/2018/ dated 30.11.2018. Challenging the same, the present writ petition is filed.



5. According to the learned counsel appearing for the petitioner, the students who have completed diploma in Mechatronics have got admission for BE (ECE) course under Lateral Entry Category, whereas the petitioner who has completed diploma in ECE was not accorded approval for the admission for BE (Mechatronics) Course. According to the petitioner, the same is arbitrary, discriminatory on the part of the respondents.

6. On instructions, the learned Government Advocate appearing for the 1st & 2nd respondents has placed the fact that the 1st respondent after verifying the documents viz., 10th Mark Sheet Higher Secondary Certificate, Diploma Certificate, Transfer Certificate and Community Certificate in respect of the students admitted by the 5th respondent college for the second year Lateral Entry 2018-2019 issued the impugned letter mentioning the list of not approved candidates, the writ petitioner is one among them.

7. The learned Government Advocate appearing for the 1st & 2nd respondents has further submitted that the petitioner is not eligible to be admitted in BE (Mechatronics) Course on the ground that the Diploma in ECE is not eligible for admission to the aforesaid course. But the petitioner is eligible for Electrical and Electronics Engineering Course as per the list (Annexure-III) submitted by the 1st respondent. Hence the petitioner has to produce the equivalency certificate to the 1st respondent for approval of the admission. No such equivalency certificate has been produced by the petitioner, therefore, his approval was rightly declined by the 1st respondent.

8. In view of the submissions made by the learned Government Advocate appearing for the 1st & 2nd respondents and considering the fact that the petitioner has been admitted in the 5th respondent-College for the academic year 2018-2019 and appearing for the final year examination in the academic year 2020-2021, this Court issues the following directions;

- i. The writ petitioner shall make representation to the Secretary to the Government, Higher Education Department, within a period of one week from the date of receipt of a copy of this order and seek Diploma in ECE is equivalent to Diploma in (Mechatronics) is eligible for admission to B.E (Mechatronics). Liberty is granted to the petitioner to approach this Court at a later stage, if necessary.



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ii. With the above directions, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

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To

1. The Commissioner,
The Directorate of Technical Education (DoTE),
53, Sardar Patel Road, Guindy,
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2. The Member Secretary,
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Southern Regional Office,
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26, Haddows Road,
Chennai-600006.
4. The Vice Chancellor/Registrar,
Anna University,
Guindy, Chennai-600025.
5. The Secretary to Government,
Higher Education Department, Chennai.

+1cc to M/s. Waron & Sai Rams, Advocate, SR.No.35835
+1cc to M/s.M.Vijayakumar, Advocate, SR.No.35877
+1cc to M/s.B.Rabu Manohar, Advocate, SR.No.36497
+1cc to Government Pleader, SR.No.36230

W.P.No. 13453 of 2021
and
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VSN II (CO)
KKV/30/07/2021