



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.08.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH., J

W.P.No.17270 of 2021  
and  
WMP Nos.18287 of 2021

K.Vellaisamy

...Petitioner

Vs

1. The Chief Secretary,  
Fort St. George,  
Chennai - 9
2. The Secretray,  
Higher Education Department,  
Fort St. George,  
Chennai 600 009.
3. The Director of Technical Education,  
Guindy, Chennai 600 025.
4. The Central Board of Secondary Education,  
Shiksha Kendra, 2 Community Centre,  
Preet vihar, New Delhi - 110092

...Respondents

Prayer .: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the third respondent to postpone and revise the last date for the receiving the filled up application through on-line for Tamil Nadu Engineering Admission as 24.08.2021 and the other processes including the counselling from 14.09.2021 for the Academic year 2021-2022 for the General category of the students as per the merit list to be tentatively published on 04.09.2021 by the third respondent, pursuant to my representation dated 02.08.2021.

For Petitioner : Mr.R.C.Manoharan  
For Respondents : Mr.A.Selvendran  
Government Counsel for  
R1 to R3



## O R D E R

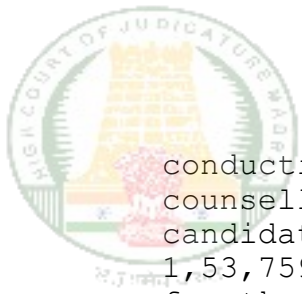
This writ petition has been filed for the issue of writ of Mandamus directing the 3<sup>rd</sup> respondent to postpone and revise the last date for receiving the filled up application through on-line for Tamil Nadu Engineering Admission.

2. The case of the petitioner is that his son studied at a school, which is affiliated to CBSE. He completed his +2 during July 2021 and has secured 86.6%. The son of the petitioner felt that he has to improve upon the score and hence, took advantage of the notification given by the CBSE, wherein it has been announced that improvement examinations will be conducted from 16.08.2021 to 15.09.2021. The son of the petitioner intends to write the improvement examination and try to score more marks to enhance his chances of securing a seat in the chosen subject in a good institution. The grievance of the petitioner is that the 3<sup>rd</sup> respondent has already announced that the last date for receiving the filled up application through on-line for the Tamil Nadu Engineering Admission is fixed on 24.08.2021. The publication of the rank list has been fixed on 04.09.2021 and the counselling will take place for the special category on 07.09.2021 and from 14.09.2021 onwards, the general counselling has been fixed by the 3<sup>rd</sup> respondent.

3. The grievance of the petitioner is that the 3<sup>rd</sup> respondent is proceeding further with the selection even without waiting for the results in the improvement examination undergone by the +2 students conducted by the CBSE. Therefore, the petitioner has approached this Court seeking for a direction to the 3<sup>rd</sup> respondent to postpone and revise the last date for receiving the filled up application.

4. The learned Government counsel appearing on behalf of the respondents 1 to 3 submitted that the academic calendar is issued by AICTE and insofar as the academic year 2020-2021 is concerned, the AICTE has directed the 3<sup>rd</sup> respondent to admit the first year students against the vacancies on or before 25.10.2021 and the last date for the commencement of the classes for the first year students admitted in technical course is also fixed as 25.10.2021. The learned counsel submitted that the 3<sup>rd</sup> respondent is bound to follow the directions issued by AICTE and hence, the entire schedule is fixed based on the directions given by the AICTE.

5. The learned Government counsel further submitted that there are various processes that are involved in the selection which starts from the Registration of the application, Random number generation, Certificate verification, Rank list publication, conducting Special Reservation counselling,



conducting general counselling, conducting supplementary counselling and finally conducting counselling for SC(A) and SC candidates. The learned Government counsel submitted that so far 1,53,759 students have registered for the Engineering admission for the academic year through on-line. Therefore, it will take a significant time to scrutinise all these applications and complete the entire process within the time schedule fixed by AICTE. The learned Government counsel further submitted that even the students who belong to CBSE have given their applications through on-line and are participating in the selection process.

6. The learned Government Counsel further submitted that the CBSE conducting the improvement examination for students belonging to +2 by itself cannot be a ground for the 3<sup>rd</sup> respondent to postpone the last date for receiving the application, since the 3<sup>rd</sup> respondent cannot complete the selection within the time stipulated by AICTE, if such postponement is made. The learned Government counsel therefore submitted that the selection involves the interest of more than 1 lakh 50 thousand students and it is equally important to take care of their interest also and pleaded before this Court not to interfere with the selection process.

7. In the considered view of this Court, this Court exercising its jurisdiction under Article 226 of Constitution of India, has a very limited role when it comes to interference with the decisions of academic bodies. It may be true that the petitioner may secure good marks in the improvement examination and that will enhance his chances to get the desired course in a reputed college. However, that by itself does not warrant the interference into the process that has already been set in motion by the 3<sup>rd</sup> respondent. If at all, the interest of large number of students is going to be affected since they have taken the improvement examination and they will not be able to submit the application on time, that may be considered by the concerned authorities and it may even be a ground for extending the time. However, such decisions will have to be taken by the academic bodies and it cannot be done by way of issuing directions in that regard. The process of selection consists of various stages and while fixing the time limits, a lot of factors are taken into consideration. Therefore, this Court cannot direct the authorities to alter the time limits only on the ground that some students who took the improvement examination may not be able to effectively participate in the selection. Such interference will in fact adversely affect the interest of many students and it will also affect the smooth functioning of the 3<sup>rd</sup> respondent, who has to complete the selection and commence the courses, within the time stipulated by AICTE.



8. In view of the above, this Court is not inclined to grant the relief as sought for by the petitioner and accordingly, this writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Chief Secretary,  
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+1 CC to Mr.R.C.Manohar, Advocate, Sr.No. 41700  
+1 CC to The Government Pleader, Sr.No. 41731.

W.P.No.17270 of 2021

PMK(CO)  
LS(06/09/2021)