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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.17809 of 2021
and W.M.P.Nos.19004, 19007 & 19008 of 2021

1.V.Pandiyaraj

2.G.Karthi

3.G.Kailash

4.P.Nagajothi

5.K.Abhinaya

6.A.Abitha Preethi

... Petitioner

Vs.

1. All India Council for Technical Education,
Rep. by its Chairman,
7th Floor, Chanderlok Building,
Janpath, New Delhi.

2. The Director of Technical Education,
Guindy,
Chennai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the eligibility criteria fixed by the 2nd respondent herein under clause 3 to the brochure of the Tamil Nadu Engineering Admissions 2021 quash the same and consequently direct the 2nd respondent to fix the eligibility criteria for admission to Engineering Courses as per the AICTE norms in Appendix I of Approval Process Hand Book 2021-22

For Petitioner : Mr.V.G.Suresh Kumar

For Respondents : Mr.A.Selvendiran
Government Counsel
for R2



O R D E R

This writ petition has been filed challenging the eligibility criteria fixed by the 2nd respondent under Clause 3 of the brochure of the Tamil Nadu Engineering Admissions 2021 and for a consequential direction to fix the eligibility criteria for admission to engineering courses as per the AICTE norms that has been fixed in the Approval Process Hand Book 2021-22.

2.The case of the petitioners is that they are candidates who have passed higher secondary examination in May, 2021. The petitioners have undergone Science group without Mathematics in +2.

3.The further case of the petitioners is that the AICTE through the Process Handbook for the year 2021-22 has prescribed the norms with regard to the eligibility criteria for admission to Diploma and Under Graduate degree in Engineering. For proper appreciation, the eligibility fixed by the AICTE is extracted hereunder:

Passed 10+2 examination with Physics / Mathematics / Chemistry / Computer Science / Electronics / Information Technology / Biology / Informatics Practices / Biotechnology / Technical Vocational Subject / Agriculture / Engineering Graphics / Business Studies / Entrepreneurship. (Any of the three)

Obtained at least 45% marks (40% marks in case of candidates belonging to reserved category) in the above subjects taken together.

OR

Passed min.3 years Diploma examination with at least 45% marks (40% marks in case of candidates belonging to reserved category) subject to vacancies in the First Year, in case the vacancies at lateral entry are exhausted.

(The Universities will offer suitable bridge courses such as Mathematics, Physics, Engineering drawing etc., for the students coming from diverse backgrounds to achieve desired learning outcomes of the programme)

4.The grievance of the petitioners is that the 2nd respondent has published the information brochure for Tamil Nadu Engineering Admissions for the year 2021 and has fixed the



eligibility criteria wherein only those candidates who have secured at least 50% marks in class 12 with Physics, Chemistry and Mathematics alone are eligible to participate in the selection to the engineering courses. According to the petitioners, the norms that has been fixed by the 2nd respondent is contrary to the norms fixed by the 1st respondent. That apart, all the other State Governments have followed the AICTE norms except the State of Tamil Nadu. Therefore, the petitioners have challenged the relevant Clause in the brochure and have sought for a direction to the 2nd respondent to fix the eligibility criteria in line with the AICTE norms.

5. Heard Mr.V.G.Suresh Kumar, learned counsel appearing on behalf of the petitioners and Mr.A.Selvendiran, learned Government Counsel appearing on behalf of the 2nd respondent.

6. The AICTE is the deciding body which fixes the norms providing for the eligibility of the candidates who can participate for admission to engineering courses. The 2nd respondent will have to act in line with the norms fixed by AICTE. At this juncture, it is important to take note of the leverage that has been given to the 2nd respondent in the Approval Process Hand Book itself wherein it has been stated that respective State Government/Affiliating University/Board may decide the eligibility criteria for entry level qualification for different Programmes/Courses.

7. A reading of the eligibility that has been fixed by AICTE shows that the AICTE has drawn a broad parameter of the subjects that could be taken into consideration as eligibility for participating in the admission for engineering courses. Having given such a broad parameter, the AICTE has vested a right to the 2nd respondent to decide on the eligibility criteria from among the various subjects that have been mentioned in the Hand Book.

8. Pursuant to the above, a Coordination Committee was appointed by the 2nd respondent and in the said meeting, it was decided that for participating in the admission to engineering courses, Mathematics must be made compulsory. Therefore, the 2nd respondent has proceeded to make Mathematics, Physics and Chemistry as compulsory subjects which have to be completed with the percentage of mark provided in the brochure and only then the candidate will be eligible for participating in the admission to engineering courses.



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9. The learned Government Counsel appearing on behalf of the 2nd respondent submitted that till now, nearly 1,74,390 students have registered for TNEA, 2021 through on-line with Mathematics, Physics and Chemistry as the eligible subjects. The learned counsel further submitted that random numbers have also been assigned to all the registered candidates for preparing the rank list and already the counseling process has started. The learned counsel further submitted that the admissions will have to be completed within the time stipulated by the AICTE and the courses must be started. Therefore, at this point of time, the petitioners cannot come up with this ground and stall the entire admission process for which nearly 1,74,390 students have applied and waiting for selection. The learned Government Counsel further submitted that this eligibility criteria that has been fixed by the 2nd respondent is not something new for this academic year and the same eligibility criteria has been followed for nearly a decade now.

10. In the considered view of this Court, the eligible criteria fixed by the 2nd respondent does not in any way run contrary to the norms fixed by the AICTE. The AICTE has merely given a guidance as to the subjects that could be taken into consideration for the purpose of fixing the eligibility criteria for admission to engineering courses and has left the respective State Government or affiliating University to decide from among those subjects and fix the eligibility criteria for entry level qualification for different programmes / courses. Therefore, this Court does not find any ground to interfere with the relevant Clause in the brochure issued by the 2nd respondent.

11. Accordingly, this writ petition stands dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Chairman,
All India Council for Technical Education,
7th Floor, Chanderlok Building,
Janpath, New Delhi.



2. The Director of Technical Education,
Guindy, Chennai.

+1CC to Mr.V.G.Sureshkumar, Advocate, Sr.No.43286
+1CC to Government Pleader, Sr.No.43383

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SRA (CO)
K.RK. (22.09.202)