



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.25154 of 2014
and
M.P.Nos.1, 2, 3, 4 of 2014

C.Thendral

...Petitioner

Vs.

1.The Registrar,
Annamalai University,
Annamalai Nagar,
Chidhabaram District.

2.The Director,
Annamalai University,
Directorate of Distance Education,
Annamalai Nagar,
Chidhabaram District.

3.The Controller of Examinations,
Annamalai University,
Directorate of Distance Education,
Annamalai Nagar,
Chidhabaram District.

...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 impugned order passed by the 2nd respondent in his proceedings No. DDE/C1/2014-2015 dated 20.08.2014 and quash the same as illegal and consequentially to direct the respondents to declare that the petitioner is eligible to study B.Ed., course taking into consideration of her Diploma in Costume Design & Dress Making as equivalent to Higher Secondary Course (+2) in conformity with the G.O.Ms.No.242 Higher Education (B1) Department dated 18.12.2012 and consequentially issue provisional certificate in the event of completing the B.Ed., course successfully within the period that may be stipulated by this Court.



For Petitioner : Mr.B.Vishnuchelliya

For Respondents : Mr.K.Sathish Kumar

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O R D E R

The rejection of admission to B.Ed., course sought for by the petitioner through her application No.255153 is under challenge in the present writ petition.

2. The petitioner states that she is working as a Craft Teacher at Government High School, Gangaleri, Krishnagiri District. She had passed S.S.L.C in the year 1990 and thereafter, completed Diploma course in Costume Design and Dress Making in the year 1996. The petitioner passed (B.Lit) course in May 2010. She submitted an application to pursue Bachelor of Education (B.Ed.,) Degree programme for the academic year 2014-2015. The application submitted by the petitioner was rejected by the respondents on the ground that the petitioner has not studied higher secondary course and three years diploma course is not eligible for admission for B.Ed., programme as per the prospectus issued by the respondent/University.

3. The contention of the petitioner is that the Government issued G.O.Ms.No.242 Higher Education (B1) Department dated 18.12.2012 granting equivalence in respect of three years diploma course. Accordingly, the candidate, who passed three years diploma course is to be considered for the purpose of admission for B.Ed., course. In other words, the three years diploma course was treated equivalent to that of the higher secondary course. Therefore, the order of rejection is perverse and liable to be set aside.

4. The learned counsel for the respondents objected the said contention by stating that the prospectus issued by the University unambiguously stipulates that the candidates who were not studied plus two course are not eligible for admission for B.Ed. Course. Even as per the Government order, the candidate who studied three years diploma course is eligible for employment opportunity and promotion and therefore, the said Government order has no relevance with reference to the admission to the B.Ed., course by the University.

5. This Court is of the considered opinion that as rightly pointed out G.O.Ms.No.242 dated 18.12.2012 relates to employment opportunity and promotion. However, the admission to B.Ed.,



courses are concerned the University prospectus will prevail over and the said prospectus is issued by following the University Grants Commission Regulations and the norms fixed by the University Grants Commission. Thus, the Government order granting equivalence for employment opportunity cannot be taken into consideration for the purpose of providing admission to B.Ed., course in Universities. The degree recognized under the provisions of the University Grants Commission Act and its Regulation alone is to be conferred by the University and the eligibility criteria are also prescribed under the Regulations. Further, the National Council for Teacher Education is the competent authority for issuing Regulations for admissions to B.Ed., courses. Thus, the prospectus issued by the University in consonance with the Regulations issued by the National Council for Teacher Education alone will prevail over and therefore, the reliance placed by the petitioner with reference to G.O.Ms.No.242 cannot be of no avail.

6. In view of the fact that the petitioner has not studied higher secondary course, the reason for denial of admission is in consonance with the prospectus issued and this Court do not find any infirmity as such. Consequently, the Writ Petition stands dismissed. No costs. Consequently, the Miscellaneous Petitions are closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

Jeni/Cse
To

1. The Registrar,
Annamalai University,
Annamalai Nagar,
Chidhabaram District.
2. The Director,
Annamalai University,
Directorate of Distance Education,
Annamalai Nagar,
Chidhabaram District.



3.The Controller of Examinations,
Annamalai University,
Directorate of Distance Education,
Annamalai Nagar,
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srg 28/01/2022