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W.P.No.25235 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED :17.10.2022**

**CORAM :**

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR**

**W.P.No25235 of 2022**  
**and WMP.No.24186 of 2022**

Sarah Wahab,  
D/o. Khalid Wahab

..Petitioner

Vs.

1. Association of Indian University,  
AIU House, 16, Comrade Indrajit, Gupta Marg,  
Opposite National Bal Bhawan,  
Near I.T.O., New Delhi,  
Delhi – 110 002.

2. The Registrar,  
The School of Excellence in Law,  
The Tamil Nadu Dr. Ambedkar Law University,  
Poompozhi, No.5, Dr.D.G.S. Dinakaran Salai,  
Chennai – 600 028.

3. The Secretary,  
Bar Council of India  
No.21, Rouse Avenue Institutional Area,  
New Delhi – 110 002.

..Respondents

[R3 impleaded vide order dated 10.10.2022 made in WMP.No.24476 of 2022 in W.P.No.25235 of 2022 by RSKJ]

Prayer: Writ Petition filed under Article 226 of the Constitution of India for Writ of mandamus, directing the 1<sup>st</sup> respondent to issue the equivalence certificate to the petitioner with respect to petitioner's degree in B.SC(Computer Science) obtained from Foreign University and further



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direct the 2<sup>nd</sup> respondent to extend the time for processing petitioner's application in HLL32241846 dated 24.08.20222.

For Petitioner : Mr.C.Gunasekaran

For Respondents : Mr.Arunkumar Rajan  
Standing Counsel [R2]

### ORDER

The prayer sought for herein is for a writ of mandamus directing the 1<sup>st</sup> respondent to issue the equivalent certificate to the petitioner with respect to petitioner's degree in B.SC(Computer Science) obtained from Foreign University and further direct the 2<sup>nd</sup> respondent to extend the time for processing petitioner's application in HLL32241846 dated 24.08.20222.

2. The petitioner obtained a degree called B.SC (Computer Science) in a foreign University. With the strength of the said degree, the petitioner made application to the second respondent University for getting admission in three years B.A.LL.B(Hons.) course for the year 2022-2023, for which the last date to make the application to the second respondent University was 19.09.2022.



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3. In this context, it is to be noted that since the petitioner obtained a degree from a foreign University i.e., B.SC(Computer Science), whether the same is equivalent to the degree awarded by the Indian University is to be evaluated and such an equivalent certificate has to be given by the first respondent and for which, when the petitioner made an application and the same since has been pending before the first respondent, as the last date to make the application to the second respondent falls on 19.09.2022, as an abundant caution, he made an application and the said application since has not been processed by the second respondent University and in the meanwhile, the first respondent having considered the request of the petitioner for getting the equivalent certificate, has granted such equivalent certificate only on 23.09.2022 and on receipt of the same, that was also produced to the second respondent University. However, the second respondent University so far has not or seems to have not accepted the application of the petitioner by accepting the equivalent certificate issued by the first respondent dated 23.09.2022. Therefore the petitioner even though filed the writ petition with the afore-stated prayer since the first limb of the mandamus prayer has already been accomplished as stated supra, seeks indulgence of this Court to issue a direction by way of mandamus only in respect of the second limb



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of the prayer i.e., the direction to the second respondent to extend the time to processing the petitioner's application dated 24.08.2022.

4. Heard Mr.C.Gunasekaran, learned counsel appearing for the petitioner and Mr.Arunkumar Rajan, learned Standing Counsel appearing for the second respondent University.

5. The learned counsel appearing for the petitioner having reiterated the aforesaid would seeks indulgence of this Court.

6. The learned counsel appearing for the second respondent University, on instructions would submit that, at the time of making the application before the University, the petitioner did not have the equivalent certificate issued by the first respondent. Anyhow, in time the application was submitted, subsequently the petitioner was able to get the equivalent certificate from the first respondent on 23.09.2022. Thereafter the same also since has been produced before the second respondent and the counselling is yet to be started for admission for the three years B.A.LL.B(Hons.) course for the academic year 2022-2023, there could be no further impediment for the second respondent University to process



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the application of the petitioner and accordingly, if the petitioner comes within the zone of consideration, his candidature would be considered on merits.

7. I have considered the said submissions made by the learned counsel appearing for both sides and have perused the materials placed before this Court.

8. In view of the stand taken by the learned Standing Counsel appearing for the second respondent University, where he has stated that the counselling is yet to be commenced and because of the equivalent certificate the petitioner having obtained and produced to the second respondent issued by the first respondent dated 23.09.2022, his application shall now be processed, this Court is inclined to dispose of this writ petition with the following orders:

- ◆ That there shall be a direction to the second respondent University to process the application of the petitioner dated 24.08.2022 for getting admission in three years B.A.LL.B(hons.)degree at the second respondent University for the academic year 2022-2023 with the strength of his degree viz., B.SC.(Computer Science) with



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equivalent certificate issued by the first respondent dated 23.09.2022 and pass orders thereon on merits and in accordance with law.

- ◆ It is made clear that, the direction issued by this Court will not automatically make the petitioner entitle to seek admission unless the petitioner is selected by evaluating his marks obtained in the degree concerned by comparing with the other students by way of *inter se* merit.
- ◆ The needful as indicated above shall be undertaken by the second respondent immediately.

With these directions, this writ petition is disposed of accordingly.

No costs. Connected miscellaneous petition is closed.

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Index : Yes/No

Speaking Order: Yes/No

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**Note:** Issue order copy on 19.10.2022



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**R.SURESH KUMAR, J.**

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