



W.P(MD)No.19614 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19614 of 2023

R.Ravikumar

... Petitioner

Vs.

1.The Vice Chancellor,
The Tamil Nadu Dr.Ambedkar Law University,
No.5, Poompozhi Raja Annamalaipuram,
Dr.D.G.S.Dinakaran Road,
Chennai-600 028.

2.The Registrar,
The Tamil Nadu Dr.Ambedkar Law University,
No.5, Poompozhi Raja Annamalaipuram,
Dr.D.G.S.Dinakaran Road,
Chennai-600 028.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to select the petitioner for admission in Ph.D in Law (Part time) (2021-2022) in the light of Section 32 of the Rights of Persons with Disabilities Act 2016 in the existing vacancy by considering the petitioner's representation dated 29.07.2023 within a period stipulated time by this Court.

For Petitioner : Mr.K.Ponnaiah

For Respondents : Mr.K.P.Krishnadoss



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ORDER

Heard both sides.

2. The petitioner is a differently abled candidate. He has 50% locomotor disability. The petitioner's right to seek admission under differently abled category is not questioned by the respondents. The petitioner has completed ML degree and is also a part time Lecturer. He seeks admission in the part time Ph.D programme conducted by the respondent University. Since the petitioner was not given admission, the present writ petition came to be filed.

3. The learned counsel appearing for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to grant relief as prayed for.

4. The learned standing counsel for the University points out that as per the admission norms, the candidate must secure 50% marks to be eligible. In the case of SC/ST/Differently abled candidates, the eligibility marks is 45. The petitioner is said to have scored only 31 marks out of 100 in the entrance test. The respondents have filed counter affidavit containing these averments. It has also been served on the learned counsel for the petitioner. The petitioner



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does not challenge the stand taken in the counter affidavit. When the petitioner has only 31 marks and when the eligibility mark is 45, the respondent cannot be directed to admit the petitioner in the Ph.D programme even in the part time category.

5. The Writ Petition is dismissed. No costs.

11.12.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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