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W.P.No.9681 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.9681 of 2021

and

W.M.P.No.10267 of 2021

K.Kalpakkam

...Petitioner

-Vs-

1. The Principal Secretary,
Department of Higher Education,
Government of Tamil Nadu,
6th Floor, NKM buildings,
Secretariat, St.George Fort,
Chennai – 600 009.

2. The Registrar,
University of Madras,
Chepauk,
Chennai – 600 005.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorari, to call for records made in Official Communication No. ERC/H.D./2021/159 dated 29.01.2021 issued by the 2nd respondent herein and quash the said impugned order and consequently to allot one seat in M.A.(Vaishnavism) Course to the petitioner.

For Petitioner	: Mr.G.Ramadurai
For R1	: Mr.R.Neethiperumal Government Advocate
For R2	: Mrs.V.Sudha Standing Counsel



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ORDER

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This Writ Petition has been filed challenging the order passed by the second respondent dated 29.01.2021, thereby rejected the candidature of the petitioner for admission to the course of M.A (Vaishnavism).

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner is now aged about 70 years. She had completed SSLC (11 years), second year foundation course. Thereafter, she had also completed B.A (Vaishnavism). After completion of her Under Graduation, she applied for Post Graduation in M.A (Vaishnavism) in order to improve her knowledge alone and not for any other purpose such as job and any other employment. Therefore, the petitioner made an application before the second respondent to the course of M.A (Vaishnavism). The eligibility to apply for the said course is a Bachelor Degree in any subject of the University of Madras or any other University accepted by the Syndicate as equivalent thereto. However, by the communication dated 27.09.2019, the second respondent stated that the request for recognition of examination of other Universities of the petitioner for the



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course of M.A (Vaishnavism) is not feasible of compliance.

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4. As per G.O.Ms.No.528 dated 18.05.1985, the two years foundation course of the Madurai Kamaraj University be recognized as equivalent to Higher Secondary course and University of Madras has already recognized this course as an entrance qualification for admission to the degree course. Further, as per G.O.Ms.No.1110 dated 17.09.1985, at the end of XI standard shall be admitted into the second year of Higher Secondary course. As per the Government Orders, the petitioner got admission in B.A Vaishnavism. Further, as per G.O.Ms.No.144 dated 20.11.2017, the two year foundation course of the Madurai Kamaraj University is recognized as equivalent to Higher Secondary course.

5. Though the petitioner submitted a representation and also explanation for the query raised by the second respondent, the petitioner was not provided with any seat to pursue her Post Graduation degree in M.A (Vaishnavism).

6. The second respondent filed counter and the learned Standing Counsel appearing for the second respondent submitted that as per



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G.O.Ms.No.144 dated 20.11.2017, Personnel and Administrative Reforms

Department, the Pre-Foundation course and the foundation course offered by various Universities are not equivalent to SSLC and Higher Secondary course respectively. Therefore, the petitioner's application was rightly rejected.

7. A perusal of records revealed that the petitioner is now aged about 70 years. She wants to pursue her Post Graduation degree only to develop her knowledge and not for any other purpose such as employment. Though the courses completed by the petitioner are not eligible to pursue her Post Graduation degree, the case of the petitioner can be considered as a special case and permit her to pursue her Post Graduation degree in M.A (Vaishnavism), only for the purpose of developing her knowledge and not for any other purpose such as employment.

8. In view of the above, the petitioner is at liberty to make fresh application for the academic year 2024-2025 in regular course to pursue her Post Graduation in M.A (Vaishnavism) before the second respondent. On receipt of the same, the second respondent is directed to admit her in the Post Graduation degree in M.A (Vaishnavism), if she is otherwise eligible. It is



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made clear that the petitioner shall annexe her medical fitness certificate along with her application and an undertaking affidavit stating that she will not claim any employment on the basis of the Post Graduation degree.

9. With the above directions, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

29.04.2024

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order
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To

1. The Principal Secretary,
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