



WEB COPY



W.P.No.16924 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.16924 of 2024 and
W.M.P.No.18634 of 2024

Minor S.Kishore
Represented by his Natural Guardian
D.Saminathan
Aged about 49 years,
Residing at 18, Main Road,
Kizhsathamangalam, Villainur Taluk,
Puducherry – 605 110.

.. Petitioner

VS

- 1.The Union of India
Rep. By the Secretary to Government,
Department of Revenue and Disaster Management,
Government of Puducherry,
Puducherry.
 - 2.The Tahsildar,
Taluk Office, Villainur,
Puducherry.
 - 3.The Convenor,
Centralized Admission Committee (CENTAC)
Directorate of Higher and Technical Education,
Government of Puducherry,
Kamarajar Manimandapam,
Puducherry 605 008.
- Respondents

..

Prayer : Writ petition filed under Article 226 of the Constitution of India
praying to issue a writ of declaration declaring the action of the 3rd
respondent refusing to consider the candidature of the petitioner for



W.P.No.16924 of 2024

admission to the UG Courses for the academic year 2024 – 25 under MBC Category and under Puducherry Resident Category as arbitrary and illegal and consequently, direct the 3rd respondent to consider the candidature of the petitioner as Puducherry resident and under MBC Category for admission to the UG Courses for the academic year 2024 – 25.

For Petitioner : Mr.R.Saravanan
For Respondents : Mr.A.Tamilvanan
Additional Government Pleader
(Puducherry)

ORDER

The petitioner has sought a declaration declaring the action of the 3rd respondent in refusing to consider the candidature of the petitioner for admission to the UG Courses for the academic year 2024 – 25 under MBC Category and under Puducherry Resident Category as arbitrary and illegal.

2. The matter had come up on 23.06.2024 when Mr.Tamilvanan, learned AGP, took notice and sought some time to obtain instructions and revert.

3. The sequence of events in this case is that the petitioner has admittedly submitted his application online on 14.05.2024. Along with those applications, the petitioner uploaded the community and nativity certificates that were in his possession.

4. However, the prospectus admittedly required candidates to



W.P.No.16924 of 2024

obtain community and nativity certificates that had been issued proximate to the date of application. The application of the petitioner was thus rejected and a writ petition in W.P.No.15644 of 2024 had been filed challenging the order of rejection. Simultaneously, the petitioner had also filed a statutory appeal challenging the rejection of community certificate. Pending the writ petition, the community certificate had come to be issued.

5. On 18.06.2024, the petitioner uploaded the certificates and with such uploading, the status of the petitioner's application ought to have stood amended from 'ineligible' to 'eligible' qua community certificate. This has not been done.

6. Pending the present writ petition, R3 has now issued the first provisional list of candidates wherein the petitioner's application has been rejected for the reason, '*Community Certificate not attached – Changed to General – Invalid Residence Certificate – Changed to Other State*'.

7. The respondents state that the requirement of nativity certificate pales into insignificance in light of applicable Government Orders that endow a candidate who has born in the Union territory of Puducherry with the required nativity. With this, both the defects based on which the application of the petitioner lacunae has been found wanting stand resolved.

8. The provisional list is accompanied by a press release dated



W.P.No.16924 of 2024

03.07.2024 wherein R3 states as follows:-

WEB COPY

The Candidates are further informed that the Round 1 Draft Allotment List is only indicative in nature and subject to change. The candidates cannot claim any right over the allotted seat in the draft list and the draft list cannot be challenged before the Court of Law. The Candidates are advised to approach the allotted college / institute only after the publishing of Round 1 Provisional Allotment List and only downloading the allotment order from the Login Dashboard."

9. Leave has been given to the candidates to point out errors in the provisional list and it would thus suffice to let the petitioner approach R3 seeking correction of the errors. On the petitioner putting forth his objections, let the needful be done expeditiously, bearing in mind the observations in this order, to find the petitioner eligible and include his name in the list for admission.

10. This writ petition stands disposed in terms of this order. No costs. Connected miscellaneous petition is closed.

05.07.2024

Index: Yes/No
Neutral Citation: Yes/No
ssm

To

1.The Secretary to Government,
Department of Revenue and Disaster Management,
Government of Puducherry,
Puducherry.

2.The Tahsildar,
Taluk Office, Villainur,



W.P.No.16924 of 2024

Puducherry.

WEB COPY

3. The Convenor,
Centralized Admission Committee (CENTAC)
Directorate of Higher and Technical Education,
Government of Puducherry,
Kamarajar Manimandapam,
Puducherry 605 008.



WEB COPY



W.P.No.16924 of 2024

DR. ANITA SUMANTH,J.

ssm

W.P.No.16924 of 2024

05.07.2024