



WEB COPY



W.P.(MD)No.4933 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.02.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE B.PUGALENDHI**

W.P.(MD)No.4933 of 2017

B.Jasprine Jebashiny

... Petitioner

/Vs./

1.The Registrar,
Anna University,
Guindy, Chennai-600 025.

2.The Director,
Admissions/Entrance Examination,
Anna University, Guindy,
Chennai-600 025.

3.The Managing Trustee/Secretary,
Popular Education Trust,
370/C-5, Cape Road,
Kottar, Nagercoil-2.

4.The Principal,
PET Engineering College,
Post Box No.06,
Tiruchendur Road,
Valliyoore, Tirunelveli District.

... Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pay a sum of Rs.10 lacs jointly severally towards damages for waste of one year in petitioner life, loss of reputation in the public and mental agony by considering the petitioner's representation dated 17.02.2017.

For Petitioner : No Appearance
For R1 & R2 : Mr.E.V.N.Siva



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For R3 & R4 : Mr.Ajmal Khan
Senior Counsel
for Ms.H.Jasima Yasmin

ORDER

The petitioner with a grievance that the third respondent has admitted the petitioner for M.E., Computer Engineering course without ascertaining the required qualification, has spoiled her one academic year, has filed this writ petition seeking Rs.10 lakh as compensation for the wrong admission made by the third and fourth respondents.

2.The learned counsel for the petitioner submits that the petitioner was admitted in the course of M.E., Computer Science in the fourth respondent college only after considering the M.Sc., Software Engineering undergone by the petitioner as required qualification. The petitioner also paid necessary fee. She attended the classes regularly. She was issued with hall ticket for the examinations by the Anna University and she had participated and cleared the examinations. While that being so, all of a sudden, the petitioner was issued with an order stating that the M.Sc., Software Engineering course studied by the petitioner is not a required qualification to get admission in M.E., Computer Science Engineering and the petitioner was terminated from the college in the middle of the year and hence, one valuable year was wasted. Hence, the petitioner seeks compensation.



3.The learned Senior counsel for the third and fourth respondents submits that the respondent college following the guidelines issued by the Department of Technical Education, wherein M.Sc., (5 years integrated) course is shown as eligible qualification for studying M.E., Computer Science, provisionally admitted the petitioner in their college. Thereafter, the respondent College submitted the application along with the certificates of the petitioner to the Department of Technical Education for approval. At that time, the Department raised some objections with regard to the eligibility and equivalency of the petitioner's application. It was duly intimated to the petitioner. Thereafter, Transfer Certificate and other certificates were also handed over to the petitioner with her consent. The learned Senior counsel further submits that the petitioner has paid only a sum of Rs.5,000/- as tuition fee and the remaining fee of Rs.25,000/- is yet to be paid. For the non recognition of the course underwent by the petitioner by the Anna University, the third and fourth respondents could not be made liable.

4.This Court considered the rival submissions made on either side and perused the materials placed on record.

5.Admittedly, the petitioner was admitted in the course of M.E., Computer Science Engineering by the third and fourth respondents considering the course of



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M.Sc., Software Engineering (integrated course for five years) undergone by the petitioner as an eligible course. However, her admission was not approved by the University for the reason that the M.Sc., five years integrated course undergone by the petitioner in Manonmaniam Sundaranar University is not the required qualification to be admitted in the course of M.E., Computer Science Engineering. The respondent college produced a copy of the guidelines issued by the Department of Technical Education, in which it has been stated that M.Sc., Software Engineering course is an eligible course subject to the approval of the State Government.

6.In view of the specific guidelines issued by the Department of Technical Education, this Court is of the view that there is no merit in the contentions made by the petitioner and this writ petition is liable to be dismissed. Accordingly, this writ petition is dismissed. No costs.

21.02.2024

Index : Yes / No
Internet : Yes / No
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B.PUGALENDHI,J.

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