

W.P.No.8526 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2025

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

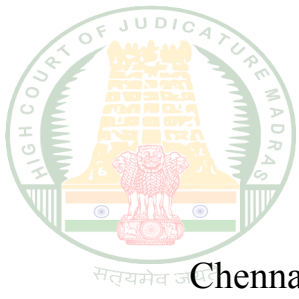
W.P.No.8526 of 2025
and W.M.P.No.9548 of 2025

Lieutenant Colonel Sridhar S.

... Petitioner

Vs.

1. Government of Tamil Nadu
Rep.by its Secretary,
Animal Husbandry, Dairying and
Fisheries Department
Fort St.George, Chennai 600 009
2. Vice Chancellor
Tamil Nadu Veterinary and Animal
Sciences University
Madhavaram Milk Colony
Chennai 600 051.
3. Controller of Examinations
Tamil Nadu Veterinary and Animal
Sciences University
Madhavaram Milk Colony
Chennai 600 051.
4. The Chairman
Admission Committee (PG)
Tamil Nadu Veterinary and Animal
Sciences University
Madhavaram Milk Colony



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Chennai 600 051.

... Respondents

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PRAYER : Writ Petition filed under Article 226 of Constitution of India, to issue Writ of Mandamus to direct the respondents to keep one seat vacant in the Department of Veterinary Microbiology, Veterinary Gynaecology, Veterinary Medicine, Animal Genetics and Breedings and Animal Nutrition in the Department of Veterinary Microbiology Gynaecology, Veterinary Medicine, Animal Genetics and Breedings and Animal Nutrition in the Madras Veterinary College of the 2nd respondent college for the academic year 2024-25 pursuant to his application dated 08.01.2025 submitted by him to the 2nd respondent.

For Petitioner : Mr.A.Saravanan

For Respondents : Mr.L.S.M.Hasan Fazil
Addl. Government Pleader for R1

Mr.Vijayakumar
Senior Counsel for
Mr.V.Gangatharan for R2 to R4

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus to direct the respondents to keep one seat vacant in the Department of Veterinary Microbiology, Veterinary Gynaecology, Veterinary Medicine, Animal Genetics and Breedings and Animal Nutrition in the Departments of



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Veterinary Microbiology Gynaecology, Medicine, Animal Genetics and Breedings and Animal Nutrition in the Madras Veterinary College of the 2nd respondent University for the academic year 2024-25, pursuant to the petitioner's application dated 08.01.2025, submitted by him to the 2nd respondent.

2. This writ petition has been filed by a Lieutenant Colonel of the Indian Army. The petitioner studied and completed BVSc & AH (five years) course on 29.12.2011 from Madras Veterinary College, Chennai. The petitioner after obtaining graduation was commissioned as Captain in Remount Veterinary Corps of Indian Army on, 06.08.2012. The petitioner states that the officers like him are granted study leave for a period of 24 months for undergoing Post Graduation in specific Veterinary subjects as per the requirement of the Indian Army. On grant of study leave by the RVC, the officer would approach the Veterinary University of his choice, preferably in his State of domicile for pursuing the post graduation. The petitioner sent an email to the third respondent on 18.03.2024, expressing his willingness to undergo post graduation (MVSc) in TANUVAS for the academic year 2024, by referring to special quota for defence given by other State Government



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Veterinary Universities along with sanction of study leave given by Indian Army. The 2nd respondent advised the petitioner to send them an official communication from Remount Veterinay Corps for reservation of seat in TANUVAS for the academic year 2024-2025. On 24.06.2024, the RVC addressed a letter to the 2nd respondent requesting for reservation of one seat and also marked a copy to the 1st respondent.

3. The petitioner also sent an email on 14.09.2024, to the third respondent with a copy to the 2nd respondent and the Registrar, TANUVAS. For the letter dated 24.06.2024 of RVC, a reply was sent by the Registrar, TANUVAS on 27.01.2025 stating that necessary proposals would be placed before the statutory committee of the University and if approved, the same would be sent to the 1st respondent for issue of necessary Government Orders. However till date no steps were taken by the 2nd respondent. Meanwhile, the petitioner submitted an online application for MVSc degree programme for the academic year 2024-2025, on 08.01.2025, in TANUVAS website enclosing all the necessary documents. On receipt of the petitioner's application, the third respondent issued a hall ticket mentioning the date of examination as 26.02.2025. Thereafter the third respondent issued a merit list in which the

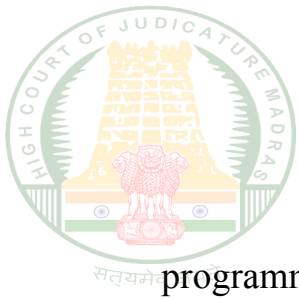


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petitioner was ranked at Sl.No.206 in common quota (Tamil Nadu State).
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4. Thereafter, the petitioner sent another email dated 05.02.2025 to the 2nd respondent requesting him to approve one seat in the Department of Veterinary Microbiology at Madras Veterinary College, Chennai. As no action was taken on the petitioner's representation, the petitioner filed the above writ petition for the aforesaid relief.

5. The third respondent filed a detailed counter stating inter alia, that in so far as admissions to post graduation programmes in the respondent University were concerned, there was no reservation provided for serving Army personnel. Hence, for the request of the Colonel, Office of the Dte Gen Remount veterinary Services, New Delhi, it was informed by the University that the proposal would have to be placed before the University's Statutory committee and on approval of the same, it would be placed before the Government of Tamil Nadu, which is the competent authority to pass appropriate orders. The respondents stated that the candidates who were willing to pursue PG course had to undergo a selection process including counselling. Further the selection of candidates for admission to MVSc/M.Tech degree



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programmes was based on the marks obtained in the Common Entrance Examination and the qualifying marks obtained in the BVSc & AH/B.Tech degree programmes.

6. The respondents stated that counselling in two stages would be conducted with the first round restricted to the candidates of Tamil Nadu nativity. In the first counselling, the student would either choose a seat and College or he would opt for being waited listed, if his desired subject was not available. In the second counselling, the wait listed candidates of Tamil Nadu alone would take part to choose the seat from the resultant vacancies. If the seats remained vacant thereafter also, then the unfilled seats would be filled in the third and final counselling with candidates of other states. According to the respondents, the petitioner applied as Tamil Nadu candidate and appeared for Common Entrance Examination conducted by the University and secured 206th rank out of 208. The petitioner appeared for the counselling held on 28.02.2025. On the date of counselling though the petitioner registered his attendance he did not attend the counselling (i.e., for selection of a seat of his choice when his turn came) but remained absent even though certain disciplines were open for admission at his turn. Hence, the respondents contended that as



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the petitioner did not choose to undergo the selection process pursuant to his application the relief claimed in the writ petition does not deserve merit.

7. The learned counsel for the petitioner submitted that after the completion of the counselling process, two seats remained unfilled. One in the Discipline, Animal Genetics and in Breeding and another in Veterinary Microbiology. The counsel submitted that as the petitioner is a member of the Indian Armed Forces, the respondents may consider allotting one seat in the larger interest of the country.

8. The learned Senior Counsel appearing for the respondents 2 to 4 did not dispute that there are two vacancies, one in Animal Genetics and Breeding and another in Veterinary Microbiology. The learned Senior Counsel submitted that as the petitioner was found ineligible and as he did not attend the counselling when his name was called, the petitioner was not entitled to a seat.

9. Heard both sides and perused the materials available on record.

10. Without entering into the merits of the case, considering that two



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seats are vacant and would go wasted, I am of the view that the respondents should consider allotting a seat to the petitioner an Army Officer, in any one of the two vacant seats in the Disciplines Animal Genetics and Breeding and Veterinary Microbiology, which are admittedly the preferred courses of the Indian Army, which is responsible for breeding, rearing, training, deployment, veterinary cover and health management of Army animals. The petitioner who is a member of the armed forces will devote the expertise he gains in the PG programmes in aid of the Indian Army, which is engaged in the defense of the country under extreme conditions. It is also pertinent to note here that the petitioner is already granted leave to pursue the course.

11. I am therefore, inclined to issue a direction to the third respondent to consider the request of the petitioner for allotting one seat in any one of the disciplines i.e., Animal Genetics and Breeding and Veterinary Microbiology where the vacancies are available. The third respondent shall consider and pass orders within a period of two weeks from the date of receipt of a copy of this order. It is also made clear that this order shall not be used as a precedent in any other case.



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12. With the above observation and direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

26.03.2025

dpq

Index : Yes /No

Speaking Order : Yes/No

Issue order copy on 27.03.2025



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N. MALA, J.

dpq

To

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Rep.by its Secretary,
Animal Husbandry, Dairying and
Fisheries Department
Fort St.George, Chennai 600 009

2. Vice Chancellor
Tamil Nadu Veterinary and Animal
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