

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2025

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CORAM
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

WA.No.613 of 2025
and
CMP.No.4925 of 2025

The Chairman,
Admission Committee-UG,
Tamil Nadu Veterinay and Animal Sciences University,
Madhavaram Milk Colony,
Chennai - 600 051.

... Appellant

Vs.

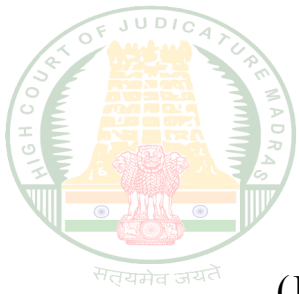
Minor.S.Subasri, aged 17 years,
D/o.Sivakumaran,
Represented by her natural guardian
Sivakumaran.

... Respondent

Prayer: Writ appeal filed under Clause 15 of the Letters Patent, to set aside the order dated 18.10.2024 in W.P.No.27732 of 2024.

For Appellant : Mr.S.Vijayakumar
Senior Counsel
for Mr.K.N.Pandian

For Respondents : Ms.CP.Selvin Jenith



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JUDGMENT

(Judgment of the Court was made by **S.M.SUBRAMANIAM, J.**)

The writ order dated 18.10.2024 passed in W.P.No.27732 of 2024 is sought to be assailed in the present intra-court appeal.

2. The Chairman, Admission Commisttee - UG, Tamil Nadu Veterinay and Animal Sciences University is the appellant before this Court.

3. The respondent filed a writ of mandamus to direct the Chairman, Admission Committee - UG to allocate one seat for the respondent in course of B.V.Sc under the physically disabled category and provide reason for the rejection of the respondent during the first counselling conducted on 04.09.2024.

4. The writ Court considered the issue and made a finding that the District Medical Board, Villupuram have already given a disability certificate on 21.08.2024 by assessing the disability of the respondent at 60%. The Government of India also issued a permanent Identity card to the respondent on 05.08.2022 by assessing 60% disability to the respondent. Without



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considering those certificates issued by Government of Tamil Nadu and Government of India, the application submitted by the respondent was rejected which is contrary to the notification issued by the appellant. Accordingly, the writ petition was allowed.

5. Dissatisfied with the orders of the writ Court, the Admission Committee preferred the present intra-court appeal.

6. Mr.S.Vijayakumar, the learned Senior Counsel appearing on behalf of the appellant would mainly contend that the disability certificate obtained by the Government of Tamil Nadu or any other Medical Board will not be accepted by the Admission Committee and the said application will be considered only for receiving the application and after selection process and during the course of counselling, the Medical Board constituted by the Admission Committee will examine the percentage of disability and that alone will be taken into consideration for the purpose of admitting a student. When it is notified in the prospectus itself in clear terms that the Admission Committee will conduct examination through the Board constituted by the Admission Committee, the respondent cannot rely on the disability certificate



issued by the Tamil Nadu Government Authority or the Government of India.

In the present case, the Medical Board constituted by the Admission Committee examined the respondent and found that the respondent suffer 25% disability and therefore, not eligible for admission to B.V.Sc Course. The learned single Judge has not considered the prospectus which is binding on the applicants and therefore, the writ appeal is to be considered.

7. Ms.CP.Selvin Jenith, the learned Counsel for the respondent would oppose by stating that even an interim order passed by the writ Court has not been complied with. One seat was directed to be reserved, which was not done. That apart, the respondent suffered disability of 60% and the same was assessed by the Government of Tamil Nadu and the Medical Board. The writ Court taking into consideration the disability certificate issued by the Medical Board of the Government of Tamil Nadu and Government of India granted the relief and thus the writ appeal is to be rejected.

8. This Court considered the arguments made between the parties to the *lis* on hand.



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9. Prospects for admission to undergraduate degree programmes for the Academic Year 2024-25 was issued. Clause 4.3.1 provides for Differently-abled [BVSc & AH and BTech(FT/PT/DT)]. The relevant portion of the said clause reads as under:

".....

THIS RESERVATION IS PROVIDED ONLY FOR THE CATEGORY OF LOCOMOTOR DISORDERS OF LOWER LIMBS RANGING FROM 40% TO 80%. ANY OTHER DISABILITY WILL NOT BE CONSIDERED.

*Candidates with less than 40% disabilities are NOT **ELIGIBLE** for reservation provided that the candidates are eligible to apply for Undergraduate Degree Programmes of TANUVAS under general category. However, such candidates have to **submit a physical fitness certificate**. The presence of significant Locomotor Disability with or without any other significant disability-such as visual or hearing speech or learning etc. which will make it difficult for the candidate to pursue and complete the course satisfactorily and may significantly increase the risk to the candidate - may be declared **INELIGIBLE** for admission.*

*Other conditions for admission to the degree programmes are applicable as in the case of General Category. The candidates seeking admission under this special category are required to produce a certificate obtained from the authorised District Medical Board of the area concerned constituted for the purpose of assessing the nature and extent of physical disability in the format (**Annexure***



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*- II in Page No.62) prescribed in this prospectus. The certificate must have been obtained within **THREE MONTHS PRIOR** to submitting the application for seeking admission under this category. If the candidate has obtained the medical certificate earlier/failed to submit the Medical Certificate, then their application will be rejected under this special category.*

*The medical certificate received without the specific recommendation of the District Medical Board will not be considered for selection under this special category. The candidate appearing for counselling will be physically examined by the medical officer/board specifically constituted for the purpose and **whose decision on eligibility is final**. The candidates who have previously applied for UG degree programmes under the differently-abled category and made ineligible by the Medical Board are not eligible to apply under this category. Such application will be summarily rejected. The selected differently-abled candidates of Tamil Nadu will be exempted from paying tuition fees and special fees of the total college fees prescribed by the University"*

10. The above clause would unambiguously stipulate that the Medical Certificate received without specific recommendation of the District Medical Board will not be considered for selection under the Special category. The candidate appearing for the counselling will be physically examined by the Medical Officer/Board specifically constituted for the

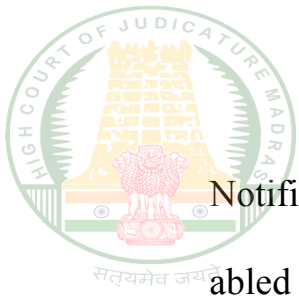


purpose and whose decision on eligibility is final.

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11. The applicants were made clear that the Medical Certificates produced by them are unacceptable for the purpose of percentage of disability and the Admission Committee will conduct a separate medical examination through the Board constituted by the Admission Committee and it is further made clear that the assessment of the Medical Board constituted by the Admission Committee regarding eligibility became final. Having admitted the said clause in the prospectus and the respondent admittedly participated in the medical examination conducted by the Medical Board specifically constituted by the Admission Committee cannot turn around and claim that the disability certificate produced by her at the time of submission of application is to be taken into consideration for providing admission.

12. This Court has gone through the Medical Certificate issued by the designated Medical Board constituted for the purpose of TANUVAS Undergraduate Admission 2024-2025. The Medical Board consist of five Doctors including speciality Doctors. They have assessed the disability of the respondent as 25% and concluded that the respondent is not eligible for admission to B.V.Sc/BTech Course as per VCI Gazette



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Notification/TANUVAS Rules. The said Medical Certificate for differently abled person issued by the designated Medical Board become final as per the prospectus and binding on the respondent. That being so, the Medical Certificate produced by the respondent at the time of submission of application was rightly rejected by the appellant. Thus, the findings of the writ Court in paragraph no.10 of the order impugned is running counter to the conditions stipulated in the prospectus issued to the respondent which is binding on the candidates.

Consequently, the Writ Order dated 18.10.2024 passed in W.P.No.27732 of 2024 is set aside and the Writ Appeal stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S,J.] [K.R.S,J.]

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Index:Yes/No

Speaking order/Non-speaking order

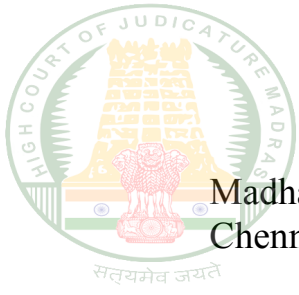
Neutral Citation:Yes/No

To

The Chairman,

Admission Committee-UG,

Tamil Nadu Veterinay and Animal Sciences University,



Madhavaram Milk Colony,
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