

(2010) 12 MAD CK 0220

Madras High Court

Case No: Writ Petition No. 26976 of 2010 and M.P. No. 1 of 2010

P. Kavitha

APPELLANT

Vs

The Registrar, Tamilnadu
Teachers 'Education University
and Lady Willingdon College of
Teachers Education

RESPONDENT

Date of Decision: Dec. 21, 2010

Acts Referred:

- Constitution of India, 1950 - Article 226

Hon'ble Judges: M. Jaichandren, J

Bench: Single Bench

Advocate: R. Gopinath, for MCGAN Law Firm, for the Appellant; Dakshayani Reddy,
Additional Government Pleader, for the Respondent

Judgement

@JUDGMENTTAG-ORDER

M. Jaichandren, J.

This Writ petition has been filed, praying for a writ of Mandamus, to direct the first Respondent to consider the representation of the Petitioner, dated 16.11.2010, and permit her to get admitted in the second Respondent college or in any other affiliated college of the first Respondent's University, situated in Chennai, to pursue her M. Ed. Course for the academic year 2010-2011.

2. It has been stated that the Petitioner was a B. Ed. Degree course student of Sri Saradha College of Education at Vandavasi, during the year 2009-2010. She had appeared for the B. Ed degree annual examinations held during the months of May/June 2010, with the Registration No. 1242909BD034. The results of the examinations were published on 21.08.2010. The Petitioner had secured 26 marks in English Paper I (Subject Code:UEN1). She had requested for the xerox copy of her answer script and also for the re-valuation of the answer paper for the said subject.

A xerox copy of the answer script of the said subject was sent to the candidate, on 01.11.2010. The result of the re-valuation of the answer sheet was communicated to her, on 04.11.2010. The revised mark sheet had been issued on 18.11.2010.

3. It has also been submitted that for the academic year 2010-2011, the last date fixed for admission to the B. Ed/M. Ed Degree courses in the affiliated colleges of the Respondent University was 30.09.2010. However, as the revised mark sheet had been issued only on 18.11.2010, she was not in a position to get admission in the M. Ed. Degree course in the second Respondent college and in the other approved colleges of the first Respondent University. In such circumstances, the Petitioner has filed this Writ Petition, under Article 226 of the Constitution of India.

4. A counter affidavit has been filed on behalf of the first Respondent, wherein it has been stated that the last date for admission in the first Respondent University and in the other affiliated Colleges of the first Respondent University, was 30.09.2010. No admission could be made, either in the second Respondent College or in the other affiliated colleges of the first Respondent University, even if the revised Mark statements, with regard to the English Paper had been issued, on 18.11.2010. The Petitioner would not be entitled to make a request to be admitted in the M. Ed. Course in the second Respondent college or in the other affiliated colleges of the first Respondent University.

5. The learned Counsel appearing on behalf of the first Respondent had placed before this Court, the guide lines, dated 29.07.2010, issued by the Tamil Nadu Teachers Education University, wherein, it has been made clear that the last date prescribed for admission to the B. Ed/M. Ed Degree courses for the academic year 2010-2011, is 30.09.2010 and the last date for submission of filled in applications for approval of Admission of University is 15.10.2010.

6. In view of the averments made in the affidavit filed in support of the writ petition and in view of the submissions made by the learned Counsels appearing on behalf of the Petitioner, as well as the Respondents, this Court is of the considered view that the claim of the Petitioner that she should be given admission in the M. Ed. Degree course, in the second Respondent college, based on her representation, dated 16.11.2010, cannot be accepted. Even if it is true that the Petitioner had been awarded twelve additional marks in English Paper I, after re-evaluation pursuant to the direction issued by this Court, dated 16.11.2010, made in W.P. No. 24698 of 2010, it would not be appropriate for this Court to direct the Respondents to admit the Petitioner in the second Respondent college, based on the marks she had obtained after the said re-evaluation, beyond the last date fixed for the admissions to the M. Ed.degree course.

7. It is also noted that after the admission procedures had been completed the second Respondent college had started conducting the classes for the M. Ed. Degree course. Further, the Petitioner ought to have known the admission procedures

being followed by the Respondents. The Respondents are not expected to keep some seats vacant to take care of such contingencies, as in the present case. As such, the writ petition filed by the Petitioner is devoid of merits. Hence, it is dismissed. No costs. However, it goes without saying that it would be open to the Petitioner to apply for admission to the M. Ed. Degree course, as per the procedures applicable to such admission, for the academic year 2011-2012, based on the marks awarded to her after the re-evaluation of English Paper-I.