WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.27090 of 2024

A.Nivetha ... Petitioner

Vs.

1.The Secretary to Government,
Health and Family Welfare Department,
St.George Fort,
Chennai-600 009.

2.The Director of Medical Education,
The Directorate of Medical Education,
Kilpauk, Chennai-600 010.

3.The Chairman,
Admission Committee (UG),
Tamil Nadu Veterinary and Animal Sciences University,
Chennai-600 051. ... Respondents

https://www.mhc.tn.gov.in/judis

WEB COPY

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the third respondent in the prospectus issued for the Admission Notification for Undergraduate Degree Programmes 2024-2025 and quash the same as illegal as far as not categorizing transgenders under special category and further, direct the third respondent to admit the petitioner in BVSC & AH., Bachelor of Veterinary Science and Animal Husbandry Course for the academic year 2024-2025 under Special Category as Transgender.

For Petitioner : Mr.K.V.Sajeevkumar

For Respondents : Mrs.M.Sneha
for R1 and R2
Mr.K.Gangadaran for R3

O R D E R

This Writ Petition has been filed challenging the prospectus issued by the third respondent for the Admission Notification for Undergraduate Degree Programmes 2024-2025 and to quash the same as illegal as far as not categorizing the transgenders under special category and direct the third respondent to admit the petitioner in Bachelor of Veterinary Science and

https://www.mhc.tn.gov.in/judis

WEB COPY

Animal Husbandry Course for the academic year 2024-2025 under Special Category as Transgender.

2. The learned counsel appearing for the petitioner submits that the petitioner has made an application for the course of Bachelor of Veterinary Science and Animal Husbandry on 26.06.2024 and the said application was received by the third respondent. However, in the impugned Admission Notification issued by the third respondent, there is no clause available regarding transgender. Hence, the present Writ Petition has been filed.

3. Though many grounds have been raised by the learned counsel appearing for the petitioner, when the matter is taken up for hearing today, the learned counsel appearing for the petitioner submits that it would suffice if this Court directs the third respondent to consider the petitioner's application dated 26.06.2024 and place the petitioner appropriately, if the petitioner secures on merit.

4. The learned counsel appearing for the third respondent has no

https://www.mhc.tn.gov.in/judis

WEB COPY

serious objection to the submission made by the learned counsel appearing for the petitioner.

5. Heard the learned counsel appearing for the petitioner, the learned counsel appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent.

6. In view of the limited request made by the learned counsel appearing for the petitioner, this Court, without interfering with the impugned Admission Notification issued by the third respondent, directs the third respondent to consider the application of the petitioner dated 26.06.2024 and place the petitioner appropriately within a period of two weeks from the date of receipt of a copy of this order. It is made clear that the third respondent shall not reject the application of the petitioner on the ground of transgender.

7. Accordingly, this Writ Petition is disposed of. There shall be no

https://www.mhc.tn.gov.in/judis

WEB COPY

order as to costs.

11.09.2024

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb

Note: Issue order copy on **11.09.2024.**

To

1.The Secretary to Government,
Health and Family Welfare Department,
St.George Fort,
Chennai-600 009.

2.The Director of Medical Education,
The Directorate of Medical Education,
Kilpauk, Chennai-600 010.

3.The Chairman,
Admission Committee (UG),
Tamil Nadu Veterinary and Animal Sciences University,
Chennai-600 051.

M.DHANDAPANI, J.

https://www.mhc.tn.gov.in/judis

WEB COPY

W.P.No.27090 of 2024

11.09.2024

https://www.mhc.tn.gov.in/judis