

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 5TH DAY OF FEBRUARY 2001

BEFORE:

THE HON'BLE MR.JUSTICE TIRATH SINGH THAKUR

WRIT PETITION Nos.34127-32/2000

BETWEEN :-

1.Raghavendra.S
s/o Srinivasaiah.

2.Jayanathi.R.
d/o Ramachandrappa.S.

3.Padmavathamma.S.
d/o Siddappa.K.M.

4.Manjula.M.
d/oMuniyappa.

5.Lakshmi.V.
d/o Venkataramaiah.S.

6.Rajendra.R.
s/o Ramegowda.

All are majors, students of Sreyas
Shikshana Samsthe,M.C.R.Complex,
Ramakrishna Extension,
Srinivasapura, Kolar Dist.

Petitioners.

(By Sri.Mahesh R.Uppin, for petitioner)

A N D :-

1.State of Karnataka,
by its Secretary to the Department
of Education,
M.S.Building,
BANGALORE-1.

2. Director,
State Teachers Training Institute,
Basavanagudi,
BANGALORE .

3. The Principal,
District Teachers and Training
Institute,
KOLAR.

4. Shreyas Education Trust,
Srinivasapura,
Kolar District,
by its Superintendent.

5. Shreyas Teacher's Training
Institute,
Srinivasapura.
Kolar Dist.
by its Superintendent.

6. M.V. Srinivasa,
s/o M. Vnnenkataswamy,
Age: Major,
R/o Rollingspdura,
Yedarur Post,
Srinivasapura Taluk.

7. Joint Director and Secretary,
Karnataka Secondary Education
Examination Board,
Malleswaram,
BANGALORE-560 003.

RESPONDENTS.

(By Sri.N.K.Ramesh, Addl.G.A. for R-3 & R-7;
Sri.H.N.Nagamohandas, for R-6;
Sri.S.K.V.Chalapathy, for R-4;
Sri.C.Gowri Shankar, for R-5;)

These writ petitions filed praying to quash
the Endorsement dated 3-10-2000 vide Annexure-G by
R-3, etc.,

These writ petitions coming on for
prly.hearing in 'B' group this day, the Court made
the following order :

ORDER

The 4th Respondent Trust has established a TCH institution with an intake capacity of 90 students per annum. 50% of the said capacity is filled up by selection of candidates through the Centralised admission cell while the remaining 50% is left to the Management for being filled-up on its own. For the session 1999-2000, as against 45 seats left to the Management, as many as 53 students were admitted. This excess admission came on account of certain dispute between the Trustees as regards the control of the Institution. Out of the said excess seats, three seats were surrendered by the Institution for the year 2000-2001. This still leaves an excess of five seats which the institution has utilised although it was not entitled to do so. The petitioners who were admitted for the year 1999-2000 have already completed one year of the course and appeared in

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the examination. They have filed an application for direction to the 7th Respondent - Board, for declaration of their results.

In the totality of the above circumstances and keeping in view the fact that the petitioners have undergone half of the course which spreads over two years, I see no reason to disapprove the admissions that have already been made.

I accordingly direct that :

1) The admission of the petitioner shall be regularised and the results for the 1st year examination announced. The petitioners shall be permitted to continue their study and complete the course in accordance with the Regulation;

2) The Respondents 4, 5 and 6 shall not admit more than 40 students in the management share of seats for the year 2001-2002. The remaining 5 seats out of the Management share shall be transferred to the Centralised Admissioon Cell, who shall for the said academic session, be entitled to select and admit on the basis of merit 50 students, as against its regular share of 45.

The writ petitions are disposed of with the above directions leaving the parties to bear their own costs.

Sd/- JUDGE

Abid/-

Jan/-