

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 14/07/2017

PRONOUNCED ON :19/07/2017

CORAM

THE HONOURABLE MR.JUSTICE P.D. AUDIKESAVALU

W.P.No.30105 of 2004

R.Dushyanthan

... Petitioner

-Vs-

1. University of Madras,
Rep. by its Registrar,
Chepauk, Chennai - 5.

2. The District Employment Officer,
District Employment Exchange,
Tiruvellore.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the order passed by the first respondent in Official Memorandum No.C & R III/Appt-Misc/2004/354, dated 12.02.2004 and quash the same and direct the first respondent to evaluate the B.Ed., degree of the petitioner awarded by the Bharatiya Shiksha Parishad, Uttar Pradesh as equivalent to that of the respondent-University.

For Petitioner : Mr.C.Vediappan
For M/s.S.Mani

For Respondents : Mr.P.R.Gopinath, SC for R1
Mr.Thangapandi
Government Advocate for R2

O R D E R

The petitioner challenges in this Writ Petition, the Official Memorandum No.C & R III/Appt-Misc/2004/354 dated 12.02.2004 passed by the respondent, informing the petitioner that his request for recognition of B.Ed Degree awarded by the Bharatiya Shiksha Parishad, Uttar Pradesh, cannot be complied with, as it is a fake University as informed by the University Grants Commission, New Delhi.

2. A counter affidavit has been filed by the respondents justifying the aforesaid order.

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

4. It has been brought to the notice of this Court that a public notice bearing No.F.7-3/20012 (MPC), dated _ May, 2014 has been issued by the University Grants Commission after the filing of this Writ Petition in which the students and the public at large have been informed that the University Grants Commission has identified 21 self-styled unrecognized institutions in 9 States, including Bharatiya Shiksha Parishad, Lucknow, which are functioning in contravention to the provisions under the University Grants Commission Act and have been declared as fake and have been held to have no right to confer or grant degrees.

5. That apart, a Writ Petition bearing W.P.No.2806 of 2005, filed by identically placed person with the same relief has been dismissed by this Court by an order dated 09.08.2006, which reads as follows:-

"2. Mr. A. U. Elango, learned counsel appearing for the second respondent produced a copy of proceedings dated 7.8.2006 issued by the Registrar, University of Madras, the second respondent herein in and by which, one Ms. L. Anbarasi, who also claimed for recognition of B.Ed. Degree obtained from Bharatiya Shiksha Parishad, UP from where she obtained B.Ed. Degree Programme does not find place in the recognised/ approved list of University Grants Commission, New Delhi/ Association of Indian Universities, New Delhi/ National Council for Teacher Education, New Delhi and hence, the University of Madras is not a position to recognise your B.Ed. Degree obtained from Bhartiya Shiksha Parishad, UP. Based on this, the learned counsel appearing for the second respondent stated that in respect of the B.Ed. Degree stated to have been obtained by the petitioner from the said Bhartiya Shiksha Parishad, UP could not also be recognised by the second respondent in as much as the said University does not find place in the approved list of University Grants Commission."

3. Considering the above said fact, this Writ Petition is dismissed as having become infructuous. However, the petitioner is at liberty to assail the proceedings if any issued against the petitioner by the second respondent in appropriate proceedings. No costs. Consequently, WPMP is closed."

6. In these circumstances, this Court does not find any infirmity or error in the impugned order calling for interference in exercise of power of Judicial Review under Article 226 of the Constitution of India.

7. Resultantly, this Writ Petition is dismissed as having no merits. There is no order as to costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

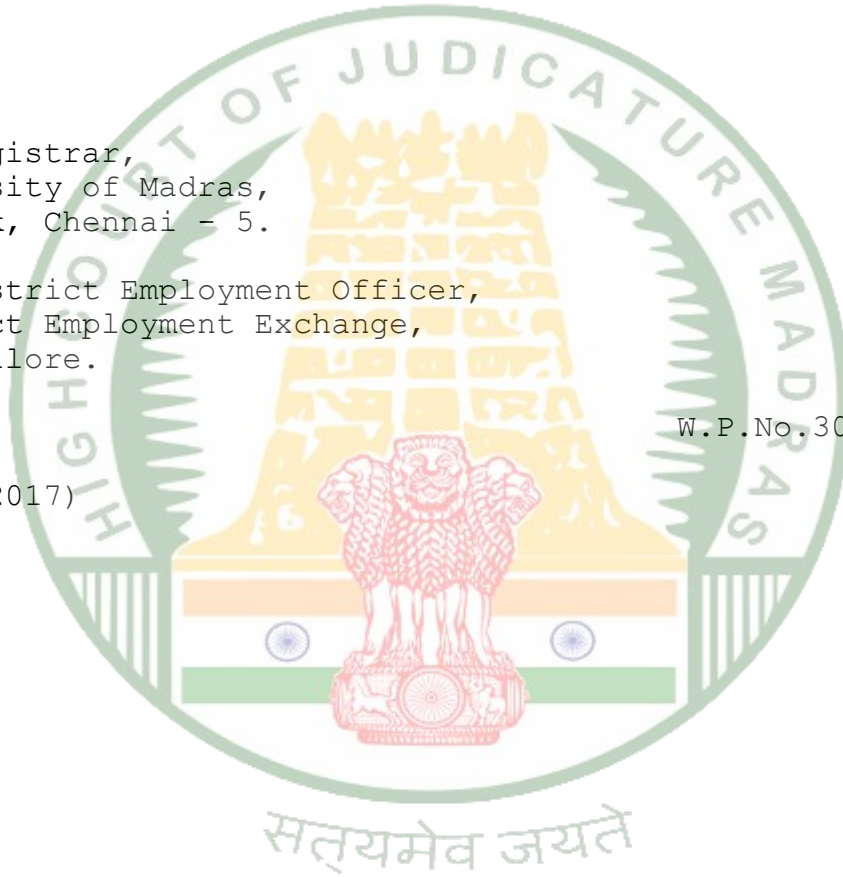
r n s

To

1. The Registrar,
University of Madras,
Chepauk, Chennai - 5.
2. The District Employment Officer,
District Employment Exchange,
Tiruvellore.

W.P.No.30105 of 2004

KJ(CO)
CA(07/08/2017)



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