

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K. SASIDHARAN
and
THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.A.No.554 of 2017
and C.M.P.Nos.7882 to 7884 of 2017

M.Senthil Kumar

.... Appellant

-vs-

- 1.The University Grants Commission (UGC)
Bahadur Shah Zafar Marg, New Delhi - 110 002.
- 2.The Law Secretary,
Department of Law,Courts and Prison
Secretariat, St.George Fort
Chennai - 600 009.
- 3.The Tamil Nadu Dr.Ambedkar Law University
Rep. by its Chairman.
- 4.The Registrar,
The Tamil Nadu Dr.Ambedkar Law University. Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent against the order passed in W.P No.35118 of 2016 dated 11.04.2017.

W.P.35118/2016:

Writ Petition filed under Article 226 of the constitution of India seeking to issue a Writ of Certiorarified Mandamus to call for the records related to the impugned Regulations leading to the Award of the Degree of Doctor of Philosophy in Law/ inter-Disciplinary filed in the Prospectus for Ph.D. Admission 2016-2017 issued by the 3rd respondent and consequential impugned Notification in No.3650/ Regr/Acad/ A2/2016 dated 1.9.2016 issued by the 4th respondent with regard to the Ph.D. Admission 2016-2017 and quash the same as it is contrary to the norms and regulations prescribed by 1st respondent Notification New Delhi dated the 5th May 2016 and consequently direct the 3rd respondent to issue the fresh regulations leading to the award of the Degree of Doctor of Philosophy in Law/ Inter Disciplinary field for Ph.D Admission 2016-2017 by the fourth respondent as per norms and regulations prescribed by the first respondent notification dated 05.05.2016.

For Appellant : Mr.N.Kathiravan
for Mr.R.Prabhakaran

For Respondents: Mr.P.R.Gopinathan for R1
Mr.N.Manikandan
Govt.Advocate for R2
Mr.M.Nalla Thambi
for R3 and R4

J U D G M E N T

[Judgment of the Court was delivered by
K.K. SASIDHARAN, J.]

The learned single Judge having found that the appellant is not eligible to subscribe for the Part Time Ph.D programme dismissed the writ petition by giving him liberty to approach the University for considering his case for Full Time Ph.D Programme. Feeling aggrieved by the said order dated 11 April 2017, the appellant has come up with this intra court appeal.

2. The prospectus issued by the Tamil Nadu Dr.Ambedkar Law University for admission to Ph.D programe for the year 2016-17 contains a clause regarding eligibility. The appellant was not eligible for pursuing the Part Time Ph.D programme. However, he is fully eligible for the Full Time Ph.D programme. It was only under the said circumstances, the learned single Judge rejected the claim made by the appellant. We do not find any error or illegality in the said order warranting our interference. Moreover, the very prayer in the writ petition has become infructuous on account of the expiry of the academic year, the relevant year being 2016-17.

3. The intra court appeal is dismissed with the above obervation. No costs. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar(CS VII)

True Copy

Sub-Assistant Registrar

svki

To

1.The University Grants Commission (UGC)
Bahadur Shah Zafar Marg, New Delhi - 110 002.

2.The Law Secretary,
Department of Law,Courts and Prison
Secretariat, St.George Fort
Chennai - 600 009.

+1 CC to Mr.M. Nallathambi, Advocate sr 46924.
+1 CC to Mr.P.R. Gopinathan, Advocate sr 48109.
+1 CC to The Govt. Pleader sr 47626

W.A.No.554 of 2017

SP(09/08/2018)



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