

**HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

**WRIT PETITION No.28048 of 2018**

**ORDER:**

This writ petition is filed challenging the action of respondents 2 and 3 in not permitting the petitioners to write L.L.M./M.A. two year course examinations at Kolkata centres.

Learned counsel for the petitioners submits that all the petitioners took admission into M.A. and L.L.M. Course in the year 2016 and the respondents have collected fees stating that the examinations will be conducted in Kolkata centre, but they failed to conduct examinations at Kolkata centre and even for the 2<sup>nd</sup> year also, they failed to conduct examinations after receiving the fees. Learned counsel relied on the judgment dated 01-06-2015 passed by Kerala High Court in WP(C) No.16135 of 2015 (N) and order passed by this Court in WP.No.17170 of 2017, dated 26-05-2018.

On the other hand, Sri Adhi Venkateshwar Rao, learned Standing Counsel for respondents 2 and 3 produced public notice dated 29-06-2017 issued by the University Grants Commission (U.G.C), New Delhi, stating that examinations cannot be conducted beyond jurisdiction of universities in view of the guidelines issued by U.G.C and the same was also informed to the 4<sup>th</sup> respondent on 16-05-2017. He also produced a copy of public notice dated 18-07-2016 issued by U.G.C., wherein it is stated as under:

“ It has come to the notice of the UGC that some Institutions/Universities/Institutions Deemed to be Universities are conducting examinations for their Open and Distance Learning (ODL) programmes outside the State of their location or beyond their territorial jurisdiction, which is wholly illegal. The Policy of the UGC with regard to territorial jurisdiction and off-campus/study centres has been clearly articulated in its public notice dated 27-06-2013.

All the Institutions are hereby directed to follow the UGC policy on ODL norms and territorial jurisdiction which are applicable for all academic activities including setting up of examination centres for distance education.”

In this case it is to be seen that in the orders relied on by learned counsel for the petitioners stated supra, this aspect was not raised and considered. In the present case, public notice dated 18-07-2016 issued by the U.G.C. stating that the Universities should not conduct examinations beyond territorial jurisdiction and the same was informed to the 4<sup>th</sup> respondent through a letter on 16-05-2017. Learned counsel for the petitioner except referring to the page No.18 of material papers, wherein the petitioner filed list of examination centers given by respondent No.2-university, there is nothing on record to show that the respondents permitted the petitioners to write examinations at Kolkata centres. More so, when public notice issued by the U.G.C. informing the same, this Court cannot issue any mandamus as prayed for.

In view of the same, I do not see any reason to entertain the writ petition and accordingly the same is dismissed. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

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**A.RAJASHEKER REDDY,J**

09-08-2018

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