

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.19687 of 2018

S.Senthilkannan, M.A.,B.L.

.. Petitioner

-vs-

1. The Secretary
Union of India
Ministry of Human Resource Department
127-C, Shastri Bhavan
New Delhi
2. The Secretary
University Grants Commission (UGC)
Bahadur Shah Zafar Marg
New Delhi 110 002
3. The Director
Department of Higher Education
Government of Tamil Nadu
9th Floor, EVKS Building
College Road, Chennai 600 006
4. The Regional Joint Director
Department of Higher Education
Government of Tamil Nadu
67-B, Race Course Road
Coimbatore 641 018
5. The Convenor
Vice Chancellor Committee
(Bharathiar University, Coimbatore)
Principal Secretary to Government
Government of Tamil Nadu
Department of Higher Education
Fort St.George
Chennai 600 009
6. The Registrar
Bharathiar University
University Campus
Coimbatore 641 046

7. The Principal
Karuppannan Mariappan College
Chettiarpalayam, Muthur
Kangeyam Taluk
Tirupur District 638 105

8. The Head of the Department
Department of Tamil
Karuppannan Mariappan College
Chettiarpalayam, Muthur
Kangeyam Taluk
Tirupur District 638 105

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the fifth respondent to provide the PHD research scholar admission in 7th respondent college for the academic year of July 2018.

For Petitioner :: Mr.N.Stalin

For Respondents:: Mr.G.Baskaran
Central Government Standing
Counsel for R1
Mr.P.R.Gopinathan for R2
Mr.V.Kadhirvelu
Special Government Pleader
for R3 & 4
No appearance for R5 & 6
Mr.V.S.Kesavan for R7 & 8

ORDER

This writ petition has been filed by Mr.S.Senthilkannan, M.A.,B.L., seeking a mandamus directing the Convenor, Bharathiar University, Coimbatore, the fifth respondent (wrongly mentioned) to provide the Ph.D research scholar admission in the Karuppannan Mariappan College, Chettiarpalayam, Tirupur District, the seventh respondent herein for the academic year July, 2018.

2. Learned counsel for the petitioner submitted that the petitioner, after scoring 19.6 marks out of 35 in the Common Eligibility Test, had approached the seventh and eighth respondents in person during July, 2018 and sought permission for doing the Ph.D research under their guidance, as the seventh respondent college is affiliated to the fifth respondent- Bharathiar University, Coimbatore. It is submitted that when the petitioner approached the seventh respondent seeking admission to join the Ph.D part time, he was asked to deposit a

sum of Rs.2,000/-. Accordingly, he has also deposited the said amount on 26.5.2018. But thereafter, they refused to respond.

3. A common counter affidavit has been filed by the seventh and eighth respondents. The learned counsel for the seventh and eighth respondents submitted that the fifth respondent-Bharathiar University, Coimbatore, in their letter dated 24.4.2018, informed them that the admission process and conduct of interview for Ph.D (July, 2018 session) be withheld until further orders from the University. After issuing the said instructions on 24.4.2018, the fifth respondent-Bharathiar University also sent one another communication on 30.7.2018 informing the seventh and eighth respondents that for the October, 2018 admission, the teachers in the self financing stream who have been designated as Associate Professor with the approval of the University will be allotted candidates as per UGC norms and for the rest of the teachers in the self financing stream, they will be considered as Assistant Professors only. Even in the said communication, there is no instruction to admit non-teaching candidates. Therefore, the seventh and eighth respondents were unable to entertain the application of the petitioner.

4. Since instructions have been issued by the Bharathiar University, Coimbatore to the seventh and eighth respondents not to entertain any application for Ph.D admission, the seventh and eighth respondents cannot be found fault with. Therefore, this Court finds no merit in the writ petition. Accordingly, the writ petition stands dismissed. Consequently, W.M.P.No.23118 of 2018 is also dismissed. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1. The Secretary
Union of India
Ministry of Human Resource Department
127-C, Shastri Bhavan
New Delhi

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5. The Registrar
Bharathiar University
University Campus
Coimbatore 641 046

+1cc to Mr.G.Baskaran, Advocate, S.R.No.4837

+2cc to Mr.V.S.Kesavan, Advocate, S.R.No.5737

+1cc to the Government Pleader, S.R.No.6023

W.P.No.19687 of 2018

SJ(CO)
CS/04/03/2019



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