



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P. (MD) No.12555 of 2019
and W.M.P. (MD) No.9346 of 2019

Dr.R.Karthigai Selvan

... Petitioner

Vs.

1.The Government of Tamil Nadu
Rep. By its Principal Secretary
Higher Education Department
Secretariat, Chennai.

2.Bharathiar University
Rep. By its Registrar,
Coimbatore.

3.The Controller of Examinations,
Bharathiar University, Coimbatore.

4.The Head
Department of Linguistics
School of English and Foreign Languages
Bharathiar University
Coimbatore.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 2nd respondent to consider the petitioner's representation dated 17.05.2019 and issue a revised Ph.D., degree certificate to the petitioner specifically mentioning the subject and Area of Specialization in Ph.D research ie., "Ph.D in English subject' with specialization in 'English Language Teaching' in the Department of Linguistics under the School of English and Foreign Languages" within the time limit to be fixed by this Court.

For Petitioners

: Mr.K.Seemaraj

For Respondents

: Mr.M.Murugan for R1

Government Advocate

Mr.M.Rajarajan for R2 to R4

ORDER

The prayer in the writ petition is for a Writ of Mandamus to direct the 2nd respondent to consider the petitioner's representation dated 17.05.2019 and issue a revised Ph.D., degree certificate to the petitioner specifically mentioning the subject and Area of Specialization in Ph.D research ie., "Ph.D in English subject' with specialization in 'English Language Teaching' in the



Department of Linguistics under the School of English and Foreign Languages"

2. Heard the learned counsel for the petitioner, the learned Government Advocate for the respondent/R1 and the learned standing counsel for the respondent University.

3. The petitioner, after having completed Ph.D., programme has been awarded Ph.D., degree in Linguistics in the year 2014. Though such a degree was given in Ph.D., for the past nearly about 5 years and more, no issue has been raised by the petitioner with regard to the subject mentioned in the Ph.D. certificate issued by the respondent University and presently in this writ petition, the petitioner seeks for a prayer to consider his request dated 17.05.2019 and to change/mention the subject "theory of specialization in Ph.D., ie., Ph.D., in English subject with the specialization in 'English Language Teaching' in the department of English under the School of English in Foreign languages". In order to have such consideration on the representation of the petitioner dated 17.05.2019 and to do the needful as indicated above, the petitioner has come before this Court with the aforesaid prayer.

3. The learned standing counsel for the University has produced the following communication dated 17.06.2019 issued by the University to the petitioner, which reads thus:

"There is no such provisions to issue EQUIVALENT CERTIFICATE in Ph.D Degree. Further it is the decision of TANCHE (Tamil Nadu State Council Higher Education) to issue equivalent certificate to UG (Under Graduation Degree) and PG (Post Graduation Degree).

Whereas in respect of issuing Ph.D Degree entitled as "INTER DISCIPLINARY" Dr.R.Karthigai Selvan has to submit a representation before awarding the Ph.D Degree ie., on or before 07th November 2014. Since, he has submitted his representation after 7 years, his request cannot be complied with.

However, there is no such regulations to award Ph.D. Degree in the BROAD FIELD of Research undertaken.

The request of Dr.R.Karthigai Selvan has to be placed before the Board of studies in Research and Standing Committee of Bharathiar University for consideration and the same has to be approved by Syndicate of the University."

4. By relying upon this communication, the learned standing counsel for the University submitted that, insofar as the demand made by the petitioner, in the present writ petition, can only be decided by the Board of Studies and in this regard, the request of the petitioner would be placed before the University in the Board of Studies in Research and Standing committee and accordingly a



decision would be taken.

5. However, the learned counsel for the petitioner submitted that, the petitioner did not seek for any equivalent certificate for the Ph.D., awarded to the petitioner, as the said prayer, he sought for only in yet another writ petition filed by him, in W.P. (MD) No.12028 of 2019 and as far as the prayer sought for in the present writ petition is concerned, it is only a revised Ph.D., certificate specifically mentioning the subject and area of specialization and that can very well be considered by the University and needful can be done.

6. I have considered the submissions made by the learned counsel for either side and perused the materials placed before this Court.

7. Admittedly, the petitioner has registered his Ph.D. Programme with the respondent University and after completing the Ph.D., programme, he was awarded Ph.D. certificate in the year 2014, where, the degree certificate of Ph.D., mentions with the following nomenclature, ie., Doctor of Philosophy in Linguistics. If any other language is required by the petitioner in the form mentioned in the degree certificate for Ph.D., programme that, instead of linguistics, some other name called "English language and Teaching in English subject", it is for the University to take a decision, which is a Higher Academic Body.

8. Whether the change in the nomenclature required by the petitioner in the Ph.D., degree is a routine change of nomenclature or not and it is possible or not, have to be decided undoubtedly only with the expert knowledge in that field and only in this regard or in this context, the stand now taken by the University to place before the Board of studies in Research and Standing Committee of the University has to be taken into account. Whatever be the reason, for which, the petitioner now seek for change in nomenclature in the Ph.D., degree certificate, the same has to be looked into and a decision has to be taken only by the appropriate academic body of the University in this regard. Since the University has already taken a stand to place it before the Board of Studies in Research and Standing Committee meeting, recording the same, this Court is inclined to dispose of the Writ Petition with the following direction:

"That the respondent University is hereby directed to place the request of the petitioner dated 17.05.2019 in the next meeting of Board of studies of the respondent University and take a decision thereon, accordingly, as per the decision to be taken by the Board of studies, necessary follow up action shall be taken by the University and keep communicated to the petitioner also."



No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

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// True Copy //

Sub Assistant Registrar(CS)

RR

To

- 1.The Principal Secretary
Government of Tamil Nadu
Higher Education Department
Secretariat, Chennai.
- 2.The Registrar,
Bharathiar University, Coimbatore.
- 3.The Controller of Examinations,
Bharathiar University, Coimbatore.
- 4.The Head
Department of Linguistics
School of English and Foreign Languages
Bharathiar University, Coimbatore.

+1CC TO MR.M.RAJARAJAN, Advocate Sr. No.69661
+1CC TO MR.K.SEEMARAJ, Advocate Sr. No.69620
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.69718

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TR (28.06.2019) 4P 8C