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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.03.2020

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THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.5007 of 2017
and
WMP.No. 23000 of 2017

Mrs. L. Nalina

...Petitioner

-vs-

1. University of Madras,
Represented by its Registrar,
Chepauk, Chennai - 600 005.
 2. Asia e University,
Represented by its Registrar,
No. 1a, Vallabai Road, Chinna Chokkikulam,
Near YMCA School,
Madurai - 625 002.
- ...Respondents

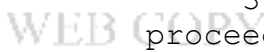
PRAYER : Petition under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the issue of the impugned order, vide Official Communication No.EQC/B.Ed/Asia-e-Univ/Sep 2016/179, dated 30.09.2016 passed by the first respondent and quash the same and further to direct the first respondent to issue the Equivalence Certificate to petitioner within a stipulated time frame.

For Petitioner : Mr.Xavier Arulraj
Senior Counsel for Mr.G.Mutharasu

For Respondents: Mr.K.Ramanraj [R1]
Mr.A. Tamil Rajan [R2]

O R D E R

Heard Mr.Xavier Arulraj, learned Senior Counsel assisted by Mr.G.Mutharasu, learned counsel for the petitioner, Mr.K.Ramanraj, learned counsel for the 1st respondent and Mr.A. Tamil Rajan, learned counsel for the 2nd respondent.



3. This writ petition has been filed challenging the proceedings of the respondent University dated 30.09.2016 and for a direction to the 1st respondent to issue equivalent certificate to the petitioner.

5. The petitioner's case was based on equivalent certificate granted in favour of 6 candidates, who do the same course along with the petitioner. The Registrar of University has filed an additional counter affidavit dated 10.02.2020, stating that initially equivalent certificate was granted subject to the condition that necessary records have to be produced. Since necessary records have not been placed before the University, the University has cancelled the equivalent certificate to the degrees awarded by the 2nd respondent. Further, Distant Education Board, University Grants Commission has put to public notice dated 07.03.2014 warranting the public and students that the 2nd respondent has not recognized by the erstwhile Distance Education Council and the University Grants Commission for offering any programme through distance mode in India and the public and students were informed that any qualification awarded through distance mode by the 2nd respondent will not be valid for appointment to the posts and services under the Central/State Government.

7. Thus considering all these facts, there is no error in the impugned order. Accordingly, the writ petition is dismissed. However, liberty is granted to the petitioner to move the Government to take stringent action against the 2nd respondent



for cheating innocent students. Parallely, the petitioner is also at liberty to initiate criminal proceedings and also claim damages against the 2nd respondent and the Officers of the 2nd respondent.

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In the result, the writ petition dismissed. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

The Registrar,
University of Madras,
Chepauk, Chennai - 600 005.

+1cc to Mr.Tamil Rajan, Advocate, S.R.No. 19515
+1cc to Mr.K.Ramanraj, Advocate, S.R.No.18578
+1cc to Mr.G.Muthurasu, Advocate, S.R.No. 18926

W.P.No.5007 of 2017

SSI (CO)
GN(02/07/2020)