



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2021

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WEB COPY

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.No.25346 of 2008

M.Arun Shourie
S/o.R.Mohandoss

... Petitioner

Vs.

1.Periyar University
Rep. By its Registrar
Salem 636 011

2.Anna University
Rep. By its Registrar
Chennai 600 025

3.All India Council for Technical Education
(A Statutory Body of Government of India)
Southern Region Office
Shasthri Bhawan, 26, Haddows Road
Nungambakkam, Chennai 600 006

4.Director of Technical Education
Chennai 600 025

5.Anna Medhammal Sheela Engineering College
Rep. By its Principal
Erumapatty 37013, Namakkal District

6.Army Head Quarters
Rep. by its Adjutant General
Adjutant General's Branch
Addl. Dte Gen of Recruiting
West Block-III, RK Puram
DHQ Post, New Delhi 110 011

... Respondents

Prayer:Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for records from the first respondent relating to its order bearing Ref.No.PU/R/B7/2305/2008 dated 07.10.2008 and quash the same as



illegal, consequently direct the AICTE the third respondent to form a Committee (within a week's time) to examine the syllabus of both M.Sc (Software Engineering) and of B.E./ B.Tech relating to the period 2000-01 to 2004-05 after hearing the petitioner in person, to find its suitability for certification as an "Engineering Degree", thereafter, to certify it to be an "Engineering Degree" or a degree equivalent to B.E. / B.Tech, with suitable directions to AICTE to complete the whole process within a specified period of 30 days, the first and fifth respondents to pay a compensation of Rs.25 Lakhs for misleading the petitioner to join M.Sc. (Software Engineering) as approved by AICTE when the said Course is admittedly not approved by AICTE, pass orders as are necessary in the facts and circumstances of the case, award compensation and costs.

For Petitioner : No appearance

For Respondents : Mr.A.Kumaraguri for R6
Mr.Ashqiq for Isaac for R1

O R D E R

(The case has been heard through video conference)

The petitioner has filed this writ petition seeking to issue a Writ of Certiorarified Mandamus, calling for records from the first respondent relating to its order bearing Ref.No.PU/R/B7/2305/2008 dated 07.10.2008 and quash the same as illegal, consequently direct the AICTE the third respondent to form a Committee (within a week's time) to examine the syllabus of both M.Sc (Software Engineering) and of B.E./ B.Tech relating to the period 2000-01 to 2004-05 after hearing the petitioner in person, to find its suitability for certification as an "Engineering Degree", thereafter, to certify it to be an "Engineering Degree" or a degree equivalent to B.E. / B.Tech, with suitable directions to AICTE to complete the whole process within a specified period of 30 days, the first and fifth respondents to pay a compensation of Rs.25 Lakhs for misleading the petitioner to join M.Sc. (Software Engineering) as approved by AICTE when the said Course is admittedly not approved by AICTE.

2.None appeared on behalf of the petitioner. The relief sought for in the writ petition is for a direction, directing the All India Council for Technical Education (AICTE) to form a Committee to examine the syllabus of both M.Sc (Software Engineering) and of B.E./ B.Tech relating to the period 2000-01 to 2004-05 and to find a suitability for certification as an "Engineering Degree" and to complete the process within a period of 30 days and also for payment of compensation of Rs.25 Lakhs for misleading the petitioner to join M.Sc. (Software



Engineering) when it is not approved by AICTE.

3.The writ petition filed in the year 2008 for the purpose of getting equivalent certificate to join the defence service. The grievance of the petitioner is that he was misled by the University that M.Sc. (Software Engineering) is a technical course approved by AICTE. But it falls within the domain of the State concerned to issue an equivalence certificate between the degrees. It is also pertinent to note that the petitioner should have been vigilant to verify the fact as to whether it is approved and governed by AICTE or is it a technical course or non technical courses. Only because the course states M.Sc. (Software Engineering) it does not

mean all engineering subjects fall within the purview of AICTE. Therefore, the petitioner who was not vigilant is also not entitled to complain against others.

4.At any rate, the prayer sought for by the petitioner does not merit consideration and by passage of time, the matter has become infructuous, as a lot of changes have emerged to the system of Education. Therefore, the Writ Petition stands dismissed as infructuous. No costs.

Sd/-
Assistant Registrar(CS-III)

// True Copy//

Sub Assistant Registrar

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+1cc to Mr. Vijayakumar, Advocate, S.R.No.31232

W.P.No.25346 2008

LN(CO)
CT(06/08/2021)