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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

AND

THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.No.1795 of 2022

K.Kaarthikeyan

...Petitioner

-vs-

1. The State of Tamil Nadu,
Through the Ministry of Higher Education,
Tamil Nadu State Government,
9th Floor, EVK Sampath Buildings,
College Road,
Chennai - 600 006.

2. University of Madras,
Through its Registrar in Charge,
Chepauk Campus, Chepauk,
Chennai - 600 005.

3. University Grants Commission,
Through its Secretary,
Bahadur Shah Zafar Marg,
New Delhi - 110 002.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondent No.2 to extend the last date for the submission of the Synopsis/Thesis till 30.06.2022 for the terminal M.Phil., Students in accordance with the Respondent No.3 notice dated 01.12.2021.

For Petitioner : Mr.Arun Kasi

For Respondent 1 : Mr.D.Ravichandar,
Special Government Pleader

For Respondent 2 : Mrs.V.Sudha

For Respondent 3 : Mr.R.Gopinath



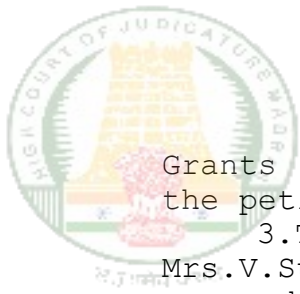
ORDER

[Order of this Court was delivered by T.RAJA, J.]

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The petitioner, Mr.K. Kaarthikeyan, being an M.Phil., student pursuing M.Phil., Political Science (terminal semester) in the Department of Politics and Public Administration in the campus of University of Madras/Second respondent herein in 2020-2021 batch on the topic "Evaluating the impact of non-holding of local body election on schedule in Tamil Nadu (Special reference to Kancheepuram District)", has come to this Court for issuance of Writ of Mandamus under Article 226 of the Constitution of India to extend the last date for the submission of the Synopsis/Thesis till 30.06.2022 for the terminal M.Phil., Students as per the guidelines issued by the University Grants Commission/Third respondent herein vide Public Notice F.No.1-10/2020 (CCP-II), dated 01.12.2021.

2.Learned Counsel for the petitioner submitted that the petitioner has been pursuing M.Phil., Political Science in the Department of Politics and Public Administration in the Madras University. Due to the outbreak of COVID-19 Pandemic in March 2020, the whole nation along with the world went through a tough phase and in order to combat the disease, complete lockdown in the country was declared by both the State and Central Government. Thereby, the entire life of the common people came to a standstill. Even the students in the schools, colleges and universities also suffered a lot due to the nationwide lockdown and later, due to the adaption of new norms of online education, the students get back into educational institutions. It is also stated that the first wave of COVID-19 pandemic reached its peak in September, 2020 and therefore, the educational institutions opted for online education for the academic year 2020-2021. In view thereof, the second respondent issued a circular dated 03.12.2020 permitting the function of the classes and hostels for the second year students in university departments to follow the standard operating procedures (SOP) for the final year students. In view thereof, online classes also started from the months of December, 2021. The Government of Tamil Nadu issued G.O.(Ms) No.84, Department of Revenue and Disaster Management, dated 31.01.2021 permitting all the university, colleges and schools in Tamil Nadu to function from 08.02.2021 on the basis of SOP. When the classes were all conducted through online for the students, the University Grants Commission also extended the time limit to submit the M.Phil., thesis till 30th June, 2022, but the second respondent refused to consider such time limit. Therefore, the petitioner made a representation to the respondents to extend the time limit for the submission of M.Phil thesis as per the guidelines issued by the University



Grants Commission, dated 01.12.2021. As there was no response, the petitioner has come to this Court with the above prayer.

3.Today, when the matter is taken up for hearing, Mrs.V.Sudha, learned Standing Counsel appearing for the second respondent by producing a copy of the letter dated 17.02.2022, received from the second respondent submitted that the petitioner has been granted time till 30th June, 2022 for submission of M.Phil., Thesis as per the Public Notice bearing F.No.1-10/2020 (CPP-II) , dated 01.12.2021 issued by University Grants Commission.

4.Since the COVID-19 pandemic from March, 2020, has brought down the entire human activities to almost a standstill, the whole nation along with the world went through a tough phase and in order to combat the disease, complete lock-down was imposed in the Country. Even the students of Schools and Colleges suffered a lot due to nation wide lock-down. Besides, the Micro, Small and Medium Enterprise (MSME) sectors also faced lots of difficulties due to intrastate lock-down. Further, in computing the period of limitation for any suit, appeal, application or proceedings, the Hon'ble Supreme Court, vide its order dated 23.03.2020 passed in Suo Motu Writ Petition (Civil) No.3 of 2020, taking note of pandemic situation, has excluded the COVID-19 period i.e., from 15.03.2020 to till further orders, and once again, considering further outburst of COVID-19, the Hon'ble Supreme Court, vide its order dated 27.04.2021, has excluded the period from 14.03.2021 till further orders (judgments reported in 2020 SCC Online SC 343 and 2021 SCC Online SC 373). Therefore, if any time limit stands expired during the COVID-19 pandemic period, from March 2020 till now, the time period shall stand extended till further orders from the Government or Supreme Court and no fine or penalty shall be imposed during the said period.

5.The University Grants Commission, New Delhi/third respondent herein, vide Public Notice dated 01.12.2021, has extended the time limit for submission of Synopsis/Thesis till 30.06.2022 for the terminal M.Phil., students. Thereafter, appreciating such approach, University of Madras also extended the time limit till 30.06.2022, as could be seen from letter dated 17.02.2022 received from the University of Madras, which shows that the petitioner has been granted time till 30th June, 2022 for submission of his M.Phil., Synopsis/Thesis as per the Public Notice bearing F.No.1-10/2020 (CPP-II), dated 01.12.2021 issued by University Grants Commission/third respondent herein. Therefore, the petitioner is directed to submit his M.Phil., Synopsis/Thesis within the time extended by the second respondent viz., on or before 30th June, 2022.



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6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

srm

To

1. The Director of Collegiate Education,
Department of Higher Education,
Tamil Nadu State Government,
9th Floor, EVK Sampath Buildings, College Road,
Chennai - 600 006.
2. The Registrar in Charge,
University of Madras,
Chepauk Campus, Chepauk,
Chennai - 600 005.
3. The Secretary,
University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi - 110 002.

+1cc to Mrs.V.Sudah, Advocate, S.R.No.11136

+1cc to the Government Pleader, S.R.No.11605

W.P.No.1795 of 2022

GPL (CO)
RGA (01/04/2022)