



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03-01-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.26353 of 2010

And

MP No.2 of 2010

Sri Sai Ram College of Education,
Represented by its Chairman Mr.M.Jothiprakasam,
Ulavaikkal Village,
Koodappakkam Main Road,
Villianur Commune,
Puducherry PIN: 605 502.

.. Petitioner

vs.

1. The Pondicherry University,
Represented by its Registrar,
R.Venkataraman Nagar,
Pondicherry - 605 014.
2. The Deputy Registrar (Acad-II),
Pondicherry University,
R.Venkataraman Nagar,
Pondicherry - 605 014.

..Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, calling for the records in respect of the impugned order issued by the second respondent in Ref.No.PU/Aca-7/2009-10/862, dated 05.07.2010 in so far as the demand for payment of University Development Fund at the rate of Rs.1,000/- per student from the petitioner-Institution is concerned and quash the same.

For Petitioner : Mr.V.Balaji

For Respondents : Ms.A.V.Bharathi

O R D E R

The writ on hand has been instituted questioning the validity of the circular issued by the second respondent-Pondicherry University on 05.07.2010.

2. The impugned proceedings is a Policy Circular No.34,



which provides guidelines for admission to various Courses.

3. The affiliated Colleges are requested to strictly adhere to the guidelines issued. The petitioner is challenging the enhancement of University Development Fund from Rs.25/- to Rs.1,000/-.

4. The learned counsel for the respondent-University has brought to the notice of this Court that the enhancement was made in the year 2004 by way of policy decision by the University and the impugned policy circular is a routine circular issued during every academic year. The University is collecting the enhancement development fund from the year 2004 onwards. Thus, the writ petition itself was filed after a lapse of about six years from the policy decision, which was taken and which was made known to the petitioner also.

5. This Court is of the considered opinion that the periodical enhancement of University Development Fund is the policy decision to be taken and in the present case, the Development Fund of Rs.25/- was in force for several years. Thus, the University had taken a policy decision to enhance the said amount i.e., from Rs.25/- to Rs.1,000/- in the year 2004 and the writ petition was filed in the year 2010 and the said policy decision taken by the University cannot be said to be perverse.

6. This apart, the decision taken in the year 2004 was challenged in the year 2010 and the writ petition has been filed challenging the routine circular issued during academic years. The present writ petition is pending for the past about 11 years. Thus, a sum of Rs.1,000/- prescribed in the year 2004 towards University Development Fund need not be interfered with by this Court after this length of time, as the said amount cannot be construed as unreasonable.

7. Further, it is a policy decision taken and the power of judicial review to interfere with such policy decisions are limited. Unless such policy decisions are unconstitutional, the Courts need not interfere with the policy decision taken by the University.

8. In the present case, the petitioner has not made out any acceptable ground for the purpose of interfering with the policy decision of enhancing the University Development Fund from Rs.25/- to Rs.1,000/- in the year 2004, which was issued by way of routine circular in every academic years and therefore, the writ petition deserves no merit consideration.

9. Accordingly, the writ petition stands dismissed. However,



there shall be no order as to costs. Consequently, connected miscellaneous petition is also dismissed.

WEB COPY

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

Svn

To

1. The Registrar,
Pondicherry University,
R.Venkataraman Nagar,
Pondicherry - 605 014.
2. The Deputy Registrar (Acad-II),
Pondicherry University,
R.Venkataraman Nagar,
Pondicherry - 605 014.

+1cc to Ms.A.V.Bharathi, Advocate, S.R.No.113

WP 26353 of 2010

RGN(CO)
CT 11/02/2022