



0IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2022

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THE HONOURABLE Mr. JUSTICE M.DHANDAPANI

WP.Nos.23322, 23326 & 28020 of 2021
and WMP.NOs.24596, 24601 & 29593 of 2021

V.Jagadeesh	...Petitioner in W.P.no.23322 of 2021
U.Suresh	...Petitioner in W.P.No.23326 of 2021
P.Arjunan	Petitioner in W.P.No.28020 of 2021

Vs

1. The Secretary
(Higher Education - Deemed Universities
Related issues)
Ministry of Human Resource Development,
Department of Higher Education,
107-C Shastri Bhawan, Rajendra Prasad Road,
New Delhi-110 001.

2. The Chairperson,
(Students Grievance Redressal Cell),
Head office (New Delhi),
University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi 110 002.

3. The Regional officer
AICTE - Southern Regional office,
Shastri Bhawan, No. 26 Haddows Road,
Nungambakkam, Chennai 06.

4. The Registrar,
SRM Institute of Science and Technology,
SRM University, SRM Nagar, Kattankulathur 603 203.

...Respondents

Prayer in WP Nos.2332 & 23320/2021 :- The Petitions are filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus(a) directing the Respondent Nos. 1 to 3 herein to take appropriate action against the 4th respondent University for the violations of Ph.D Regulations 2017 of SRM institute of Science and Technology, UGC Regulations, October 2018 - Notification of UGC with regard to the Refund of fee and



Non-retention of original Certificates and AICTE Regulations and also to direct the 4th Respondent university to pay monetary compensation for their default caused loss of petitioners social standing academic years career opportunities mental and physical agony based on the petitioners Representations dated 09.08.2021.

Prayer in WP No.28020 of 2021 : The Petitions are filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus(b) direct the respondent Nos.1 to 3 herein to take appropriate action against the 4th respondent university for the violations of Ph.D., Regulations-2017 of SRM Institute of Science and technology, UGC-Regulations, October 2018-Notification and AICTE Regulations and also to direct the 4th respondent university to pay arrear of petitioner stipend a sum of Rs.1,86,000/- and monetary compensation for spoiling the petitioner academic career

For Petitioners : Mr.C.Rajaguru (WP No.23322 & 23326/2021)

For Petitioners : K.Manikandhan (WP No.28020/2021)

For Respondents : Mrs.V.Sudha RR1 & 2 WP No.23322 & 23326/2021

Mr.B.Rabu Manohar R3

Senior Central Government Standing Counsel

(WP No.23322 & 23326/2021

Mrs.R.Umamaheswarai R4

(WP No.23322 & 23326/2021 & 28020/2021)

(In all the petitions)

: Mr.G.Baskaran, GSCfor R1 & R3 in WP No.28020/21

COMMON ORDER

Since the issue involved in all the matters and the facts are one and the same. Therefore, all the petitions are disposed of by way of common order.

2. These writ petitions have been filed seeking direction to the Respondents 1 to 3 herein to take appropriate action against the 4th respondent University for the violations of Ph.D Regulations 2017 of SRM institute of Science and Technology with regard to the Refund of fee and Non-retention of original Certificates and AICTE Regulations and also to direct the 4th Respondent university to pay monetary compensation for their default caused loss of petitioners social standing academic years, career opportunities, mental and physical agony based on the petitioners' Representations dated 09.08.2021.

2. The facts of the cases are as follows:



The petitioners had been pursuing Ph.D., in different subjects at SRM Institute of Science and Technology. The petitioners have attended the department level entrance and interview for the full-time Ph.d. Thereafter, the petitioners got admission in the said college as a full time Ph.D., research scholar and the petitioners have been paid the fees. In the online notification of 4th respondent college, it is clearly mentioned that all full-time Ph.D., scholars who are provisionally registered for the academic year 2021, will be paid stipend for a sum of Rs.25,000/- per month for a maximum period of three years, for which, the College has circulated a circular in his letter dated 07.01.2021 directed all the Directors/Deans, COE, all sections of Registrar office, Deputy Director KTR/NCR Campuses, Director-Admin, SRM Groups to implement the scheme of stipend a sum of Rs.25,000/- payable to the research scholars. But the 4th respondent College has not paid any stipend to the petitioners. Thereafter, the college orally informed the scholars that the stipend amount will be reduced from Rs.25,000/- to Rs.16,000/-. The petitioners were given an extra teaching workload and were not given the assured stipend amount. Many research scholars have given up their Ph.D., course as the institution failed to pay the stipend amount of Rs.25,000/- per month. The petitioners send an email regarding the difficulties to the Vice Chancellor, Director and the same was not considered. Hence, the petitioners sent their resignation letter for discontinuation of the Ph.D., course through mail and also submitted the same before the Dean, SRM College and also to return the original academic certificates of the petitioners'. But the 4th respondent College have demanded the petitioners to submit a new resignation letter without mentioning the above defaults of the 4th respondent and the reason should be mentioned as due to personal difficulties. Hence, the petitioners have sent representations to the second respondent dated 09.08.2021 to return the original certificates of the petitioners and non-payment of the stipulated stipend to the petitioners. Till date, the same was not considered by the respondents. Hence, the present writ petitions have been filed before this Court seeking appropriate remedy.

3. The learned counsel for the petitioners submitted that this Court may issue a direction to the respondents 1 to 3 to consider the petitioners complaint and to return the original certificates of the petitioners and non-payment of the stipulated stipend to the petitioners and also to. take necessary action against the 4th respondent college within the stipulated time as fixed by this Court.

4. The learned counsel for the respondents 1 & 2 submitted that the petitioners' complaint/representations dated 09.08.2021 will be considered and the appropriate orders will be



passed after hearing the 4th respondent within the reasonable time as fixed by this Court.

6. Heard, the learned counsel appearing for the petitioners as well as respondents and perused the materials available on record.

7. Considering the facts and circumstances of the case and the limited relief sought for by the petitioners, this Court directs the respondents 1 to 3 to consider the petitioners' complaints/representations dated 09.08.2021 and take necessary steps with regard to the grievance of the petitioners after giving opportunity to the petitioners as well as the 4th respondent, on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above direction, these writ petitions are disposed of. No order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-IX)

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Sub Assistant Registrar

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To

1. The Secretary
(Higher Education - Deemed Universities
Related issues)
Ministry of Human Resource Development,
Department of Higher Education,
107-C Shastri Bhawan, Rajendra Prasad Road,
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2. The Chairperson,
(Students Grievance Redressal Cell),
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3. The Regional officer
AICTE - Southern Regional office,
Shastri Bhawan, No. 26 Haddows Road,
Nungambakkam, Chennai 06.



4. The Registrar,
SRM Institute of Science and Technology,
SRM University, SRM Nagar, Kattankulathur 603 203.

+2ccs to Mrs.P.R.Umamaheswarai, Advocate SR.No.1850, 1851

+2ccs to Mr.V.Sudha, Advocate SR.No.4631

+1cc to Mr.B.Rabu Manohar, Advocate SR.No.4632

+1cc to Mr.C.Rajaguru, Advocate SR.No.4771

WP.Nos.23322, 23326 & 28020 of 2021
and WMP.NOs.24596, 24601 & 29593 of 2021

SSN(CO)
GMY(05/04/2022)