

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.27375 of 2021

and

W.M.P.Nos.28892 & 28893 of 2021 & 15945 of 2022

Dr.S.Subramanian
Professor (Retired),
Department of Biochemistry,
University of Madras,
Guindy Campus, Chennai - 25.

...Petitioner

Vs.

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

2. Dr.V.Elangovan,
Professor and Head
Department of Biochemistry,
University of Madras,
Guindy Campus, Chennai - 600 025.

3. The Principal Secretary and Member-Syndicate,
University of Madras,
Higher Education Department,
Secretariat, Fort St. George,
Chennai - 600 009.

4.The University Grants Commission,
Rep. by its Secretary,
Bahadurshah Zafar Marg,
New Delhi - 110 002.

...Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, to direct the first and second respondents to forward the petitioner's joining report dated 12.08.2020 to avail the UGC-BSR Faculty Fellowship awarded to petitioner by the fourth respondent University Grants Commission within such time as may be fixed by this Court and further direct the first and second respondents to provide the petitioner and the research scholars currently undergoing Ph.D. Programme under the petitioner's direct guidance necessary laboratory and other infrastructural facilities within the Department of Biochemistry, Guindy Campus

till the completion of their research studies.

For Petitioner : Mr.Surya Narayanan N.
for Mr.R.Parthasarathy

For Respondents: Mr.A.S.Vijayaraghavan [R1]
Mr.Srinath Sridevan [R2]
Ms.V.Sudha [R4]
No appearance - R3

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the first and second respondents to forward the petitioner's joining report dated 12.08.2020 in order to enable him to avail the UGC-BSR Faculty Fellowship from the fourth respondent/University Grants Commission, within a time frame to be fixed by this Court and the petitioner has also sought for a consequential direction to the first and second respondents to provide the petitioner and the research scholars currently undergoing Ph.D programme under the petitioner's direct guidance necessary laboratory and other infrastructural facilities within the Department of Biochemistry, Guindy Campus, till the completion of their research studies.

2.The petitioner was a Professor in the first respondent/University in the Biochemistry Department and he superannuated on 25.06.2020. According to him, after his retirement, he continues to be a guide for research scholars who have joined Ph.D programme. The petitioner has been awarded UGC-BSR Faculty Fellowship and his joining report for the said fellowship will have to be forwarded by the first respondent/University.

3. It is now informed by the learned standing counsel for the first respondent that the joining report dated 12.08.2020 to enable the petitioner to avail UGC-BSR Faculty Fellowship has been forwarded by the second respondent to the fourth respondent on 30.06.2022 i.e., today. Therefore, first limb of the prayer in this Writ Petition has been achieved by the petitioner.

4.Insofar as the second limb of the prayer namely to provide the petitioner and research scholars currently undergoing Ph.D programme under the petitioner's direct guidance is concerned, learned standing counsel for the first respondent as well as the learned counsel for the second respondent would submit that the competent authority is the Director, Guindy Campus, University of Madras, Chennai and therefore, the representation with regard to the second limb of the prayer will have to be given only to him, who shall consider the same on merits and in accordance with law. The said statement is recorded.

5.No prejudice will be caused to any of the parties if the petitioner is allowed to give a representation to the Director, Guindy Campus, University of Madras, Chennai, for the purpose of seeking permission to provide the petitioner and the research scholars currently undergoing Ph.D. Programme under the petitioner's direct guidance necessary laboratory and other infrastructural facilities within the Department of Biochemistry, Guindy Campus, till the completion of their research studies and pass final orders on merits and in accordance with law.

6.With regard to the allegations and counter allegations made by the respective parties in this Writ Petition, it is made clear that this Court is not expressing any opinion on the merits of the respective contentions.

7.For the foregoing reasons, this Writ Petition is disposed of, by recording the fact that the first respondent has already forwarded the joining report dated 12.08.2020 of the petitioner to the fourth respondent and a further direction is issued to the petitioner to submit a fresh representation to the Director, Guindy Campus, University of Madras, Chennai, seeking their permission to provide the petitioner and the research scholars currently undergoing Ph.D. Programme under the petitioner's direct guidance necessary laboratory and other infrastructural facilities within the Department of Biochemistry, Guindy Campus, till the completion of their research studies, within a period of one (1) week from the date of receipt of a copy of this order. On receipt of the said representation, the Director, Guindy Campus, University of Madras, Chennai, shall pass final orders on merits and in accordance with law, within a period of four (4) weeks thereafter.

8.With the aforesaid directions, this Writ Petition is disposed of. No costs. Connected miscellaneous petitions are closed.

9. With regard to the impleading petition in WMP.No.15945 of 2022, the learned counsel for the petitioner submits that he is not pressing the same since a direction has already been issued to the Director, Guindy Campus, University of Madras, Chennai. Accordingly, WMP.No.15945 of 2022 is dismissed as not pressed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Registrar,
University of Madras,
Chepauk, Chennai - 600 005.
2. The Principal Secretary and Member-Syndicate,
University of Madras,
Higher Education Department,
Secretariat, Fort St. George,
Chennai - 600 009.
3. The Secretary,
The University Grants Commission,
Rep. by its
Bahadurshah Zafar Marg,
New Delhi - 110 002.

Copy To

The Director,
Guindy Campus,
University of Madras,
Chennai.

+1cc to Mr.R.Parthasarathy, Advocate, S.R.No.41520
+1cc to M/s.V.Sudha, Advocate, S.R.No.41657
+1cc to Mr.A.S.Vijayaraghavan, Advocate, S.R.No.41666
+1cc to Mr.Srinath Sridevan, Advocate, S.R.No.41860

W.P.No.27375 of 2021

PA(CO)
RGA(18/07/2022)