



W.P(MD)No.17297 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **31.10.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.17297 of 2014

and

M.P(MD)No.1 of 2014

S.Sudalai Kannu

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by the Principal Secretary,
Department of Higher Education,
Secretariat,
St. George Fort,
Chennai-9.

2.The Chairman,
University Grant's Commission (UGC),
New Delhi.

3.Manonmaniam Sundaranar University,
Represented by the Registrar,
Abishekapatti,
Tirunelveli District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration, declaring the Regulation of Respondent No.3 in 1.1.4 providing for registration and awarding of Ph.D. degree of Doctor of Philosophy through Distance



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Education Mode course as illegal and consequently forbearing the respondents from awarding Ph.D. degrees to the candidates admitted under distance mode-R/N/G - (Regional - National - Global Category) Part-Time-C-Category.

For Petitioner : M/s.T.Lajapathi Roy
For R-1 : M/s.S.Kameswaran
Government Advocate
For R-2 : No appearance
For R-3 : M/s.Jasima Yasmin
for M/s.Ajmal Associates

ORDER

The present Writ Petition has been filed challenging the regulations of the third respondent University for offering Ph.D.

2. According to the learned Counsel for the petitioner, regulation 1.1.4 of the year 2009 permits offering Ph.D. course through distance education. However, the learned Counsel appearing for the third respondent points out that it is not offering Ph.D. through distance education. If any candidate, is residing outside the jurisdiction of the University, he should select a guide within his jurisdiction and another



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co-guide within the jurisdiction of the third respondent University. This cannot be treated as a distance education. That apart, the regulation is of the year 2009 and it is for a limited period between 2009 and 2013.

3. In view of the submissions made by the learned Counsel appearing for the third respondent, I do not find any illegality or infirmity in the regulations of the third respondent University.

4. With the above said observations, the writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

31.10.2022

Index : Yes / No
Internet : Yes / No
btr

To

1. The Principal Secretary,
The Government of Tamil Nadu,
Department of Higher Education,
Secretariat,
St. George Fort, Chennai-9.

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R.VIJAYAKUMAR, J.

btr

2.The Chairman,
University Grant's Commission (UGC),
New Delhi.

3.The Registrar,
Manonmaniam Sundaranar University,
Abishekapatti,
Tirunelveli District.

Order made in
W.P(MD)No.17297 of 2014

31.10.2022