



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2023

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.4054 of 2018

Karanam Hemanth Kumar

... Petitioner

Vs.

1. The Under Secretary,
University Grants Commission (UGC),
Bahadurshah Zafar Marg,
New Delhi – 110 002.
2. Prof.Padma Thiagarajan,
School of Biosciences and technology (SBST),
VIT University, Vellore.
3. The Dean,
School of Biosciences and technology (SBST),
VIT University, Vellore.
4. The Dean,
Academic Research,
VIT University, Vellore.
5. The Vice Chancellor, VIT University,
Vellore – 632 014.
6. Dr.N.Thiagarajan
Senior Principal Scientist,
Materials Science Division,
CSIR-National Aerospace Laboratories,
Old airport road, Kodihalli,
Bangalore – 560 017.



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7. The Head, Materials Science Division,
CSIR-National Aerospace Laboratories,
Old airport road, Kodihalli,
Bangalore – 560 017.

8. The Administrative Officer (Gen),
Administrative Office,
CSIR-National Aerospace Laboratories,
Old airport road, Kodihalli,
Bangalore – 560 017.

9. The Director,
CSIR-National Aerospace Laboratories,
Old airport road, Kodihalli,
Bangalore – 560 017.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus directing respondents 1,3,4,5,7,8,9 respondents institute / university to allocate alternate guides for the petitioner to complete his PhD program with material/data already collected by petitioner thereby directing 1,3,4,5,7,8,9 respondents to grant petitioner all facilities/support for completion of his Phd, consequentially direct the respondents to pay arrears of Fellowship and contingency eligible to petitioner for the period from 2014 an amount of Rs.6,08,000/-.

For Petitioner : M/s.K.Aparna Devi

For R1 : M/s.P.R.Gopinathan

For R2 : M/s.D.Umadevi

For R3,4 & 5 : Mr.A.Saravanan

For R6 to R9 : Mr.T.Ravikumar



ORDER

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This writ petition is filed seeking for issuance of a writ of mandamus to direct the respondents 1,3,4,5,7,8 and 9 institute / university to allocate alternate guides for the petitioner to complete his PhD program with material/data already collected by petitioner thereby directing 1,3,4,5,7,8,9 respondents to grant petitioner all facilities/support for completion of his Phd, consequentially direct the respondents to pay arrears of Fellowship and contingency eligible to the petitioner for the period from the year 2014, an amount of Rs.6,08,000/-.

2. It is the case of the petitioner that he is a Post Graduate holder in Chemical Sciences, qualified NET-JRF and joined the Department of Chemistry, Pondicherry University. Due to personal reason, the petitioner was transferred to CSIR-NAL, Bangalore with the approval of UGC and joined as extended JRF under the guidance of the sixth respondent. As per the directions of second and sixth respondents i.e., internal and external guides respectively, the petitioner's PhD programme was registered at School of Biosciences and Technology (SBST), VIT University, Vellore. The petitioner has been registered as internal full time PhD student with



effect from 17.02.2014. As a part of his PhD programme, the petitioner worked for three years at CSIR-NAL, Bangalore and during this period as per the norms of CSIR/UGC, he was upgraded as senior research fellow on 29.11.2014 and as a part of the PhD program, he completed a comprehensive viva on 26.11.2015. Despite the poor financial background, the petitioner was threatened to complete the research work and his guides ie., respondents 2 and 6 have forced the petitioner to spend his eligible stipend on the activities which is not related to the research. Thereafter, the petitioner was compelled to resign from his research and fellowship by both the guides and was also pressurized by them to write an apology letter that they have not forced him in any manner. Though the authorities of VIT University credited the fees paid by the petitioner, however, his fellowship and contingency dues were pending from the year 2014. While so, the petitioner has presented his issue before the UGC, to permit the petitioner to complete his PhD and to direct the authorities of VIT University to pay the arrears of Fellowship and contingency dues from the year 2014. Though the UGC asked the authorities of VIT University, Vellore and CSIR-NAL, Bangalore to help the petitioner to complete his PhD programme, the authorities of VIT University, Vellore have not extended further support for



the completion of PhD programme till date. Hence the present writ petition.

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3. Learned counsel appearing for the petitioner submits that though this Court posed a question to the petitioner, as to under which provision Mandamus for the aforementioned relief can be issued to the official respondents, when, even there is no provision for granting the relief supra, however, considering the petitioner's economical condition and downtrodden state, this Court may issue a direction to the respondents to allot alternative guides, for the petitioner to complete his PhD programme.

4. On the above contentions heard learned counsel appearing for the respective respondents and perused the materials placed on record.

5. Though the second and sixth respondents stoutly denied the allegation made against them, however, this Court is of the view that Mandamus can only be issued to the official respondents who failed to follow the provisions or UGC norms. In the present case there is no direction that could be issued to the respondents with regard to the relief sought for in this writ petition. In the absence of any provision, filing the



present writ petition seeking the relief stated supra is not sustainable.

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6. In view of the above observation and reasons, this writ petition is dismissed. No costs.

06.03.2023

RAP

Index : Yes/No
Speaking order / Non speaking order : Yes/No
NCC : Yes / No

To

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M.DHANDAPANI,J.

RAP

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