



W.P.No.15861 of 2018

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2023

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THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.15861 of 2018
and
W.M.P.Nos.18860 and 18861 of 2018

T.Muthu Kumar

... Petitioner

Vs.

1.The State of Tamil Nadu
rep.by its Secretary,
Department of Higher Education,
Chennai.

2.Sathyabama University,
Institute of Science and Technology
(Deemed University),
rep.by its Vice Chancellor,
Jeppiaar Nagar,
Rajiv Gandhi Road,
Chennai – 600 119.



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3.The Director (Academic Research),
Sathyabama University,
Institute of Science and Technology
(Deemed University),
rep.by its Vice Chancellor,
Jeppiaar Nagar,
Rajiv Gandhi Road,
Chennai – 600 119.

4.Anna University,
rep.by its Vice Chancellor,
Chennai.

5.The Principal,
Jeppiaar Maamallan Engineering College,
Jeppiaar Maamallan Nagar,
Sriperumbudur – 602 108.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the 3rd respondent in its proceedings dated 09.02.2018, Sathyabama/CAR/Ph.D/cancellation/2018 and quash the same and direct the respondents 2 & 3 herein to permit me to continue my Ph.D., Programme in Sathyabama University in the faculty of Mechanical Engineering under the guidance of an eminent Professor.



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For Petitioner : Mr.A.Rajendra Kumar

For Respondents : Mr.T.M.Rajangam.
Government Advocate for R1

M.Ramesh Kumar Chopra
for R2 and R3

Non appearance for R4 and R5

ORDER

This Writ Petition has been filed to quash the order of the 3rd respondent dated 09.02.2018 and direct the respondents 2 and 3 to permit the petitioner to continue his Ph.D., Programme in Sathyabama University in the faculty of Mechanical Engineering under the guidance of an eminent Professor.

2.The petitioner is an Engineering Graduate and he was appointed as a Lecturer in Maamallan Institute of Technology at Sriperumbudur on 11.01.2005. He had relieved as Lecturer from the said Institution with effect from 31.03.2008. Thereafter, he joined the Jeppiaar Maamallan



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Engineering College as Assistant Professor in the Department of Mechanical Engineering during the year 01.07.2010 and he had relieved from his duties from the said institution with effect from 04.12.2017. Later, the petitioner had applied for the Ph.D. Programme and he had been permitted to register provisionally for Ph. D. Programme on Part-Time (External) basis under the Faculty of Mechanical Engineering in Sathyabama University under the guidance of Dr.V.Krishnamoorthy, Professor of Maamallan Institute of Technology, Sriperumbudur, vide communication dated 02.05.2014, and thereafter, it was confirmed vide letter dated 19.08.2016. The registration number is 2014794106. Further on 09.02.2018, a Letter was issued by the 2nd and 3rd respondents informing the petitioner that his Ph.D. Programme registration has been cancelled effective from January 2018 since there is not much considerable consistent progress in the petitioner's research work and not attending mandatory six months reviews and also for non payment of semester fees.



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3.The learned counsel for the 2nd respondent would submit that while the petitioner was working as Assistant Professor with the 5th respondent, on his application he was permitted to register provisionally for Ph.D., programme on part time basis under the faculty of Mechanical Engineering with the 2nd respondent under the guidance of Doctor V.Krishnamoorthy who was working as Professor with Maamallan Institute of Technology. The petitioner has suppressed vital and material facts which led to cancellation of his Ph.D., Programme apart from the impugned order where the petitioner is working as Assistant Professor that he indulged in mischievous activity of stealing answer scripts from the bundle kept in the examination cell in collusion with his guide Doctor V.Krishnamoorthy. A copy of the letter dated 28.11.2017 sent by the Controller of Examinations of Anna University to the petitioner was brought to our notice. Further, the petitioners has by letter dated 04.12.2017 addressed to the 5th respondent agreed that he committed mistake and has submitted his resignation. The continuation of the petitioner to continue Ph.D.Programme with the 2nd



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respondent with the faculty of Mechanical Engineering would be prejudicial and detrimental to the integrity and reputation of the institution and would be a bad example to the other students.

4. On going through the materials available on record, it is seen that the petitioner had applied for Ph.D. Programme on part time in the Department of Mechanical Engineering and the same was registered provisionally under the faculty of Dr.V.Krishnamoorthy, Professor and thereafter, the same was confirmed and assigned the Registration No.2014794106. The registration was cancelled since there is no considerable consistent progress in the petitioner's research work and he is not attending the mandatory six months review and also for non payment of semester fees. There also some adverse remarks against the petitioner and the petitioner would have set bad example and precedent to others, in particular, and the students in general. According to the petitioner, he has been continuously attending the mandatory six semesters/reviews as prescribed by the University Rules and also he had presented his Thesis and



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the same has also been registered in the Book maintained by the 2nd and 3rd respondents. Further, the petitioner had duly paid the prescribed semester fees for all the six semesters and the same has been acknowledged by the 2nd respondent. Therefore, the petitioner had enrolled in the year 2016 and his registration was cancelled in 2018, This is an internal dispute of the institutions and this Court has no power to interfere in the impugned order. As the said programme shall be completed within seven years, the prayer sought for by the petitioner cannot be considered. Therefore, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

12.12.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
mps

To
1. The Secretary,
State of Tamil Nadu,
Department of Higher Education,
Chennai.



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2.The Vice Chancellor,
Sathyabama University,
Institute of Science and Technology
(Deemed University),
Jeppiaar Nagar,
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3.The Director (Academic Research),
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V.BHAVANI SUBBAROYAN, J,

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