



W.A.No.2122 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.A.No.2122 of 2024

S.Malathi

.. Appellant

Vs

- 1.The Secretary,
Law Department,
Secretariat, Chennai-600 009.
- 2.The Registrar,
University of Madras,
Chepauk, Chennai-600 005.
- 3.The Controller of Examinations,
University of Madras,
Chennai-600 005.
- 4.The Registrar,
The Tamil Nadu Dr. Ambedkar Law University,
Chennai-600 028.
- 5.The Controller of Examinations,
The Tamil Nadu Dr. Ambedkar Law University,
Chennai-600 113.



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6. The Principal,
The Central Law College,
Yercaud Main Road, Kannankurichi,
Salem-636 008.

.. Respondents

Prayer: Appeal under Clause 15 of the Letters Patent against the order dated 1.4.2024 passed by the learned Single Judge in W.P.No.20217 of 2023.

For the Appellant : Mr.S.Arokia Mani Raj

For the Respondents : Mr.A.Edwin Prabakar
State Government Pleader
for respondents 1, 4 and 5

: Ms.A.Shabnam Banu
for respondents 2 and 3

JUDGMENT

(Delivered by the Hon'ble Acting Chief Justice)

This writ appeal is directed against the order of the learned Single Judge dated 1.4.2024 passed in W.P.No.20217 of 2023 dismissing the writ petition filed by the appellant/writ petitioner.

2. The appellant has filed the writ petition seeking to quash the



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order of the fourth respondent and to direct the fourth respondent to permit the appellant to complete the final year of B.L. Degree (5 years) Integrated Course based on the resolution passed in the 8th meeting of the Syndicate as per the guidelines of University Grants Commission and also based on the letter of the sixth respondent dated 29.11.2022.

3. The learned Single Judge dismissed the writ petition holding that the claim of the appellant is stale and if at all the appellant is willing to pursue the law course, she has to secure fresh admission in accordance with law. Aggrieved by the same, the present appeal is filed.

4. Learned counsel for the appellant submitted that the learned Single Judge ought to have considered that Ordinance 6(b) of the Tamil Nadu Dr. Ambedkar Law University only deals with the students who discontinue the course from any of the affiliated colleges of Dr. Ambedkar Law University. The appellant discontinued her studies from the Central Law College, Salem, and that time, the said college



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was affiliated with University of Madras and not with the Tamil Nadu Dr. Ambedkar Law University. Hence, Ordinance 6(b) is not applicable.

5. Learned counsel for the appellant further submitted that the learned Single Judge ought to have considered that though the appellant was admitted in the five year law course in the year 1993, she had completed three years of the course in the year 1996 and the University of Madras awarded a degree, i.e., B.A. (Law), to the appellant and stated in the provisional that after having passed 1st, 2nd and 3rd year examination of the five year Integrated Law Course, the appellant is admitted to the actual law course from 1997-1998. Therefore, the UGC guidelines on determination of a uniform span period shall automatically apply to the appellant and Dr. Ambedkar Law University ought to have allowed the appellant to complete her course of study and permitted her to write the examinations during the year 2022 examinations. Hence, the order of the learned Single Judge is bad in law and the same is liable to be set aside.



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6. It is also the submission of learned counsel for the appellant that since the appellant's last appearance of the examination in November 1996 is with University of Madras and the University of Madras issued a migration certificate for the appellant only on 15.9.2022, which reveals that from the date of the admission for the academic year 1993-1994 in the sixth respondent college up to the period of migration from University of Madras, the appellant was covered the regulations of the University of Madras only.

7. Admittedly, the appellant underwent law course in Madras University in the year 1997 and after constitution of Dr.Ambedkar Law University, the appellant did not continue her law course and the Transfer Certificate was issued by the sixth respondent college in year 1999. Now after a lapse of 24 years, the appellant is seeking re-admission in the law course.

8. At this juncture, it is relevant to extract hereunder the resolution of the University Grants Commission dated 7.12.2021:

"INFORMATION TO THE CANDIDATES
UGC Guidelines on Determination of a Uniform Span



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Period

Within which a Student may be allowed to Qualify for a Degree

The Commission has formulated the following guidelines for compliance of the Universities:

Normally a student is expected to complete his programme within the minimum period as laid down under the relevant Regulation of the University.

A student who for whatever reasons is not able to complete his programme within the normal period or the minimum duration prescribed for the programme, may be allowed two years period beyond the normal period to clear the backlog to be qualified for the degree. The general formula therefore should be as follows:

Time Span = N+2 years for the completion of the programme.

Where N stands for the normal or minimum duration prescribed for completion of the programme.

In compliance of the above UGC Guidelines, the Syndicate in its 158th meeting held on 31.10.2018 and 160th meeting held on 27.03.2019, resolved to adopt the Uniform Span Period as follows and the same has been placed in the College notice board and in the University website for the information to students.



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- 1. The N+2 rules shall be prospective and will be applicable for the students of all courses admitted from the academic year 2019-20 onwards uniformly.*
- 2. The Students who are currently studying in various programmes will be given three additional years after completion of their regular period of study to become eligible for award of the Degree from the time of joining in the programme. In case, any student fails to complete the respective programme within the extended period of time, such candidate ceases to be a student of the University.*
- 3. The Students who have already completed their programme of study of any courses offered in the University shall have to complete their programme within a further span of 3 years. If he/she fails to do so, within such an extended time, such candidates ceases to be a student of the University and this is effective from May 2019 examinations.*

Accordingly, the three years of extended time for the students admitted in the following academic years to the courses offered in the University will be completed by January 2022 Examinations:

For ALL 5 Years Honours Degree Course, School of Excellence in Law and For 5 Years



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B.A.B.L./B.A.L.L.B. Degree Course, Affiliated Law Colleges:

Candidates admitted during the academic years from 1997-98 to 2015-16

For M.L./LL.M. Degree Course, School of Excellence in Law and For M.L./LL.M. Degree Course, Affiliated Law Colleges:

Candidates admitted during the academic years from 1997-98 to 2016-17

NOTE: If any student fails to complete the respective programme within the extended period of time, such candidate ceases to be a student of the University.

(SD)/- xxx

7/12/2021

Controller of Examinations"

9. The contention of the appellant regarding obtaining of migration certificate in the year 2022 cannot be countenanced for the reason that as per the prevailing rules of the Tamil Nadu Dr. Ambedkar Law University, a student may be permitted to secure readmission and continue the course/semester, if the break in study is within five years. Further, the migration certificate dated 15.9.2022 was issued by the second respondent based on the request made by the appellant that she intends to join Sri Venkateshwara University, Tirupati. Merely obtaining a migration certificate in the year 2022 does not entitle the



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appellant to any new rights. Since the appellant has not referred to any specific regulation of the University of Madras which entitles her to continue her study after such inordinate delay and as the appellant has requested to continue her course only after 24 years in 2023, the prevailing rules alone can be applied to the appellant.

10. In the case on hand, as rightly held by the learned Single Judge, the appellant is no longer a student and readmission can be granted only within the permissive period as per the UGC regulations. As the permissible period lapsed long back, the appellant is not entitled to seek readmission to the law course. That apart, the legal education has undergone a sea change in these two decades and the entire syllabus, training and stream of the education has evolved. It is highly unfair on the part of the appellant to even expect that she can continue from where she left after all these years. There is no proper explanation/reason forthcoming from the side of the appellant for approaching the Court belatedly. There is nothing on record to show that after discontinuance in the year 1999, the appellant had approached the concerned authority.



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11. As stated supra, since the permissible period lapsed long back and the appellant had also obtained the Transfer Certificate from the College concerned as early as 10.7.1999, she is no longer a student of the sixth respondent College. Thus, we are of the view that the appellant is not entitled to the relief claimed and the learned Single Judge was right in dismissing the writ petition. No valid grounds have been made out to interfere with the order of the learned Single Judge. Resultantly, the writ appeal fails.

Accordingly, the writ appeal is dismissed. There shall be no order as to costs.

(D.K.K., ACJ.) (K.B., J.)
22.07.2024

Index : Yes/No
NC : Yes/No
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