



W.P.No.28835 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 26.06.2024

Pronounced on : 18.07.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.28835 of 2022 and
WMP.Nos.28128 of 2022 & 33813 of 2023

N.Natarajan

... Petitioner

Vs.

1. Anna University,
Rep. By its Registrar,
Sardar Patel Road,
Chennai 600 025

2. The Director,
Centre for Research,
Anna University,
Sardar Patel Road,
Chennai 600 025

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the order of the first respondent dated 15.06.2022 and quash the same and consequently direct the respondents to permit the petitioner to undergo the Ph.D. course in the Faculty of Civil Engineering.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.Avinash Wadwani



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for M/s.V.Srimathi

ORDER

This writ petition has been filed challenging the order passed by the first respondent dated 15.06.2022 thereby rejected the application which was registered in the year 2010 as the maximum period for the validity of the application has lapsed and also directed to submit a fresh application for the session January 2023 with necessary documents and also informed that the admission will be granted on the basis of the petitioner's fulfillment of eligibility and selection criteria.

2. The petitioner is qualified with B.E.(Civil Engineering) from Bharathiar University and also qualified with M.Tech degree (Civil) from Janardan Rai Nagar, Rajasthan Vidyapeeth University, Udaipur, Rajasthan under distance education mode. He applied for Ph.D course with the Anna University, Coimbatore during May 2010. After he was declared as selected, the petitioner was required to bring the original certificates for verification. After verifying the original certificates, the petitioner was directed to pay a sum of Rs.20,000/- as fees. However, the petitioner was informed that the post graduation degree awarded by



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Janardan Rai Nagar, Rajasthan Vidyapeeth University, Udaipur, Rajasthan is not valid and as such, his admission cannot be proceeded further. Therefore, the petitioner approached this Court in WP.No.32818 of 2012 for direction to the respondents to approve his admission for Ph.D. course. While writ petition was pending, an order was passed by the Hon'ble Supreme Court of India dated 03.11.2017 in CA.Nos.17869 and 17870 of 2017, wherein it is held that AICTE-UGC-DEC Joint Committee can grant ex-post-facto approval for the degree awarded by the Deemed Universities of PG course under the distance education, provided that the students should write and pass the special examination to be conducted by AICTE-UGC. Therefore, the writ petition filed by the petitioner was dismissed as infructuous.

2.1 Thereafter, the petitioner had appeared for the special examination and he had cleared the qualifying examination. Thereafter, the petitioner's degree was validated. While being so, Anna University, Coimbatore was merged with the first respondent. Thereafter, the petitioner repeatedly approached the respondents seeking permission to join Ph.D. course as per the selection made by the Anna University,



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Coimbatore. However, it was not considered and as as such, the petitioner approached this Court in WP.No.24198 of 2021 for direction. In compliance of the said order, the respondents rejected the representation submitted by the petitioner.

3. Heard, the learned counsel appearing on either side.

4. On perusal of the counter submitted by the respondents and on hearing the submissions made by the learned counsel appearing for the respondents, revealed that though the petitioner got admission into Ph.D. degree in the Anna University, Coimbatore, the same was cancelled by an order dated 16.11.2010. Further, the admission fee paid by the petitioner was also refunded to him. Hence, no applications and other documents of the petitioner were transferred from Anna University, Coimbatore to the first respondent at the time of merger in the year 2012. Further, the petitioner ought to have completed Ph.D. course within a period of six years from the date of registration into Ph.D. course. Though the petitioner got selected in the year 2010, the petitioner was not registered with Ph.D. course. Therefore, the time also lapsed and after period of 14



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years, the request of the petitioner cannot be considered now. Admission process for Ph.D. is conducted afresh every year and the qualification for Ph.D. degree has also been upgraded. Accordingly, the students who have acquired their PG degree only in the regular mode and not in any other, are eligible for admission to the Ph.D course. In fact, the eligibility criteria is applicable to both full time / part time Ph.D programme. Therefore, this Court finds no infirmity or illegality in the impugned order passed by the first respondent. As such, this writ petition is devoid of merits and liable to be dismissed.

5. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

18.07.2024

Neutral Citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
lok

G.K.ILANTHIRAIYAN, J.

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To
1.Registrar,
Anna University,



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Sardar Patel Road,
Chennai 600 025
2.The Director,
Centre for Research,
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