



W.P(MD)No.7481 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.7481 of 2024

M.Arumugaraj

... Petitioner

Vs.

1.The Director of Legal Studies,
Tamil Nadu Dr. Ambedkar Law University,
Purasaiwakam High Road, Kilpauk,
Chennai - 600 010.

2.The Registrar,
Tamil Nadu Dr.Ambedkar Law University,
No.5, Dr.DGS Dhinakaran Salai,
Poompozhi, Chennai - 600 028.

3.The Controller of Examination,
Tamilnadu Dr.Ambedkar Law University,
Tharamani, Chennai - 600 013.

4.The Principal,
Government Law College,
Tirunelveli,
Tirunelveli District - 627 011.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to permit to allow the petitioner to write pending Arrear Examinations and receive the examination fees for 2 Subjects namely Law of Torts (TJD) and Property



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law including Transfer of Property Act and Easement Act (TJH) based on the petitioner's representation dated 15.12.2023, within the time frame that may be fixed by this Court.

For Petitioner : Mr.S.Mandhiralingeswaran

For Respondents : Mr.K.P.Krishnadoss,
Standing Counsel for R2 & R3.

ORDER

Heard the learned counsel for the writ petitioner and the learned standing counsel for the respondents 2 and 3.

2.The writ petitioner joined three years law course in the academic year 2014 – 2015. The petitioner could not complete two subjects alone. The petitioner wants to write them. Since the petitioner's request was not considered, the present writ petition came to be filed.

3.The learned counsel for the petitioner drew my attention to the order dated 11.01.2024 made in W.P.No.521 of 2024 (S.Abinesh vs. The Registrar, Ambedkar Law University, Chennai and others). He called upon this Court to grant relief as prayed for.



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4.In Abinеш's case, his father had passed away and taking into account the said exceptional circumstances, the learned Judge permitted him to appear before the Syndicate and called upon the Syndicate to take an appropriate decision.

5.As rightly pointed out by the learned standing counsel for the second respondent, I had dismissed a writ petition filed by a similarly placed candidate. I had relied on the communication dated 01.11.2023 issued by the Registrar, Tamil Nadu Dr.Ambedkar Law University, Chennai. It reads as follows:-

“Respected Sir,

This is to inform that the candidate Rahini R Reg No.314C0721 has informed that she got readmitted to the 6th semester in the academic year 2019. On verifying our records the candidate has written the 6th (Final) semester papers in May 2019 examinations. So the N+2 UGC's Uniform span regulations will be applied and the May 2023 Examinations was the last attempt for the Candidate. So she is not permitted to write the examinations as per UGC norms of N +2 Uniform span period.”

6.Even in Abinеш's case, the learned Judge had extracted the regulation 3 of UGC Guidelines on determination of a Uniform Span Period which a Student may be allowed to Qualify for a Degree, which is as follows:-



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"3. Ordinarily, no student should be given time beyond the extended period of two years. However, in exceptional circumstances and on the basis of the merits of each case university may allow a student one more year for completion of the programme"

7. The petitioner's course had ended in the year 2017 itself. Therefore, he could have been given extension by two more years or in an exceptional case, three more years. We are now in 2024. The Writ Court will not be justified in issuing a Writ of Mandamus contrary to law. I am not in a position to interfere in favour of the writ petitioner. The writ petition stands dismissed. No costs.

05.04.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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