



W.M.P.Nos.25006 and 25020 of 2025
in
W.P.Nos.22226 and 22244 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2025

CORAM

THE HONOURABLE Mr.JUSTICE **C.KUMARAPPAN**

W.M.P.Nos.25006 and 25020 of 2025

in

W.P.Nos.22226 and 22244 of 2025

Arunima Diya D.R. ... Petitioner in W.M.P.No.25006 of 2025

Safvan K K ... Petitioner in W.M.P.No.25020 of 2025

Vs.

1. Pondicherry University

Rep.by Registrar,

Bharat Ratna Dr.B.R.Ambedkar Administrative Building,

R.V.Nagar, Kalapet,

Puducherry – 605 014.

2. Deputy Registrar (Academic)

Pondicherry University,

Bharat Ratna Dr.B.R.Ambedkar Administrative Building,

R.V.Nagar, Kalapet,

Puducherry – 605 014.

... Respondents in both W.M.Ps



W.M.P.Nos.25006 and 25020 of 2025
in
W.P.Nos.22226 and 22244 of 2025

WEB COPY

Common Prayer:- These petitions filed under Article 226 of the Constitution of India praying to direct the respondents to issue to the petitioners the 4th Semester statement of grades, provisional degree certificate, transfer certificate, migration certificate, pending disposal of the cases.

For Petitioner
in both W.M.Ps : Mr.Yogeshwaran.A

For Respondents : Mr.M.Ravi
in both W.M.Ps

COMMON ORDER

When the Writ Petitions were listed on 20.06.2025, this Court passed the following order:-

“Learned senior Counsel for the petitioner would submit that the process of conducting enquiry for sexual harassment has been dealt under Rule 8, sub-clause (3) and (4) of UGC Regulations and the same is extracted hereunder:

“8(3) The inquiry has to be completed within a period of ninety days from the date of receipt of the complaint. The inquiry report, with recommendations, if any, has to be submitted within ten days from the completion of the inquiry to the Executive Authority of



W.M.P.Nos.25006 and 25020 of 2025
in
W.P.Nos.22226 and 22244 of 2025

WEB COPY

the HEI. Copy of the findings or recommendations shall also be served on both parties to the complaint. 4. The Executive Authority of the HEI shall act on the recommendations of the committee within a period of thirty days from the date of receipt of the inquiry report, unless an appeal against the findings is filed within that time by either party”

2. According to the above Rule, the copy of the recommendations has to be given both to the victims as well as the respondents, and it further stipulates that the Authority has to give its recommendations within a period of 30 days. Though the report was received on 28.02.2025, the respondents took more than 30 days and apart from that no inquiry reports were given to the victims. Hence prays to interfere with the impugned order.

3. Having considered the above submission, issue notice to the respondents 1 and 2 returnable by 23.06.2025. Private notice is also permitted. 4. Post on 23.06.2025. Interim stay till then.”

2. Today, when the matter was taken up, the learned counsel for the petitioners invited the attention of this Court about the schedule given by the National Institute of Mental Health and Neuro Sciences and the selection list



W.M.P.Nos.25006 and 25020 of 2025
in
W.P.Nos.22226 and 22244 of 2025

WEB COPY

released by them, wherein the petitioner in W.P.No.22226 of 2025 and the petitioner in W.P.No.22244 of 2025 were arrayed as selected candidates and they have been directed to furnish their documents on 26.06.2025.

3. At this juncture, the learned Standing Counsel appearing for the respondents submitted that the petitioners have filed a frivolous complaint against another student and that the finding of the Internal Complaints Committee is that the complaint of the petitioners is frivolous and the same has to be dealt with under Regulation 11 of the University Grants Commission (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2015 (hereinafter referred to as "the Regulations" for short). He would further submit that if a student files a frivolous complaint, such a complaint has to be dealt with under Regulation 10(2) of the Regulations. For ready reference, the same is extracted hereunder.-

“10. Punishment and compensation-

.....

(2) Where the respondent is a student, depending upon the severity of the offence, the HEI may,-



WEB COPY



W.M.P.Nos.25006 and 25020 of 2025
in
W.P.Nos.22226 and 22244 of 2025

(a) withhold privileges of the student such as access to the library, auditoria, halls of residence, transportation, scholarships, allowances, and identity card;

(b) suspend or restrict entry into the campus for a specific period;

(c) expel and strike off name from the rolls of the institution, including denial of readmission, if the offence so warrants;

(d) award reformatory punishments like mandatory counselling and, or, performance of community services.”

4. By relying on the above Regulations, the learned counsel for the petitioner would submit that the issuance of a certificate would sever the relationship between the petitioners and the respondents. In such view of the matter, Regulation 10(2) would become futile.

5. I have given my anxious consideration to the submissions made on either side.

6. Though the learned counsel for the petitioners relied on Regulation 10(2) of the Regulations, there is no reference referring for withholding



W.M.P.Nos.25006 and 25020 of 2025
in
W.P.Nos.22226 and 22244 of 2025

WEB COPY

certificate, and what the Regulations say is that they would withhold the privileges of the student, such as access to the library, auditoria, halls of residence, transportation, scholarships, allowances, and identity card. However, the learned Standing Counsel would contend that, if all the certificates are given to the petitioners, then it would cause prejudice to the respondents in pursuing the proceedings under Regulation 11 of the Regulations.

7. At this juncture, the learned counsel for the petitioners invited the attention of this Court to the show cause notice dated 03.06.2025 in W.P.No.22226 of 2025, where it is stated as follows:-

“Whereas, the Competent Authority of the University has decided to act on the said enquiry report and the committee found the misconduct of the complainant, the committee finds this complaint to be frivolous and therefore recommends the following punishments:-

- 1. To impose on her a monetary penalty of Rs.25,000/- and to withhold all examinations results/certificates until the penalty amount is paid by her.*
- 2. To issue her a conduct certificate with “mere*



W.M.P.Nos.25006 and 25020 of 2025
in
W.P.Nos.22226 and 22244 of 2025

WEB COPY

satisfactory” comment upon passing out.

3. To not to admit her in future to any programme offered by Pondicherry University and not to permit her to have any other official engagement with the University in the future.

4. To Debar her from entering into the Pondicherry University campuses after completion of the ongoing programme.”

8. Further, with respect to the show cause notice dated 03.06.2025 in W.P.No.22244 of 2025, the first clause, which reads as follows:-

“1. To impose on him a monetary penalty of Rs.10,000/- and to withhold all examinations results/certificates until the penalty amount is paid by him.”

9. According to the learned counsel for the petitioners, even if the complaint is held to be frivolous under Regulation 11, the ultimate penalty would only Rs.25,000/- in W.P.No.22226 of 2025 and Rs.10,000/- in W.P.No.22244 of 2025, and they are ready and willing to pay the same subject to the outcome of these writ petitions.



W.M.P.Nos.25006 and 25020 of 2025
in
W.P.Nos.22226 and 22244 of 2025

WEB COPY

10. In view of the above submission, this Court deems it appropriate to direct the petitioner in W.P.No.22226 of 2025 to deposit a sum of Rs.25,000/-, and the petitioner in W.P.No.22244 of 2025 to deposit a sum of Rs.10,000/- with the respondents by today, and on such deposit, the respondents are directed to give all the certificates, such as the 4th Semester statement of grades, provisional degree certificate, transfer certificate, and migration certificate, to the petitioners forthwith.

11. With the above observations, these Miscellaneous Petitions are allowed.

24.06.2025
1/2

kv
Index : Yes/No
Speaking order /Non Speaking Order
Neutral Citation : Yes/No



W.M.P.Nos.25006 and 25020 of 2025
in
W.P.Nos.22226 and 22244 of 2025

WEB COPY
To

1. The Registrar,
Pondicherry University
Bharat Ratna Dr.B.R.Ambedkar Administrative Building,
R.V.Nagar, Kalapet,
Puducherry – 605 014.
2. Deputy Registrar (Academic)
Pondicherry University,
Bharat Ratna Dr.B.R.Ambedkar Administrative Building,
R.V.Nagar, Kalapet,
Puducherry – 605 014.



WEB COPY



W.M.P.Nos.25006 and 25020 of 2025
in
W.P.Nos.22226 and 22244 of 2025

C.KUMARAPPAN, J.

kv

W.M.P.Nos.25006 and 25020 of 2025
in
W.P.Nos.22226 and 22244 of 2025

24.06.2025
1/2