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WP NO. 26297 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

WP NO. 26297 of 2025

AND

WMP Nos. 29601, 29602, 29604, 29605 and 29606 of 2025

Jaaniv Bajaji

Petitioner(s)

..Vs..

**SRM Institute Of Science And Technology
Department Of Computational Intelligence, SRM
Nagar, Kattankalathur Chengalpattu District, 603002**

Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of certiorarified Mandamus, calling for records pertaining to the impugned communication dated 5.7.2025 issued by the faculty advisor of the respondent University and quash it and consequently direct the respondent to allow the petitioner to enroll for final year of her B.Tech course.



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For Petitioner(s):

Mr.Jayesh B.Dolia
For M/s. Aiyar And Dolia

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For Respondent(s):

Dr.V.Venkatesan For Sole Respondent

ORDER

The Writ Petition has been filed with the prayer to call for records pertaining to the impugned communication dated 5.7.2025 issued by the faculty advisor of the respondent University and quash it and consequently direct the respondent to allow the petitioner to enroll for final year of her B.Tech course.

2.The learned counsel for the petitioner would submit that the petitioner student is studying B.Tech program in Computer Science in the academic year 2022-2026 in the respondent university. The petitioner's father received a WhatsApp message saying that the petitioner was debarred for a period of three years. It is the contention of the petitioner that the order of debarment is nothing but illegal, arbitrary and violation of principle of natural justice.

3. The learned counsel for the petitioner would further submit that the



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petitioner was not served any notice and no opportunity was given to explain in respect of charges and the petitioner was also not served with final orders passed by the respondent. Hence, he prays this Court to interfere with the same.

4.The learned counsel for the respondent would submit that they have given notice to the petitioner on 17.05.2025 and apart from that the petitioner has also admitted her guilt. Therefore, the question of conducting enquiry does not arise. Furthermore, the Authority has constituted an ordinance for the examination. If there was malpractice in the examination, the respondent after considering all the materials elaborately, they have issued the order of debarment to the petitioner. Therefore, there is no ground to interfere with the impugned order passed by the respondent. In support of his contention, he relied upon the Judgment of the Hon'ble Supreme Court of India reported in **2016 SCC online SC 547** in the case of **"Nidhi Kaim Vs. State of Madhya Pradesh and others"**.

5.I have given my anxious consideration having heard both sides and perused the materials available on record.

6.The predominant submission made by the learned counsel for the



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petitioner is that the petitioner was not given any notice and also no final orders have been passed. When the pertinent question was put before the learned respondent's counsel, he drew the attention of this Court about the enquiry detail form dated 17.05.2025 and fairly submitted that there were no final orders served upon the petitioner. Therefore, this Court is of the firm view that the enquiry procedure said to have been conducted, was not followed in the case in the manner known to law. Hence, this Court finds merits in this case to quash the impugned order passed by the respondent. Even in the Judgment of Hon'ble Supreme Court relied upon by the learned counsel for the respondent, it has been held that a show cause notice is to be given to the candidates by following the principal of natural justice.

7. Even though the learned counsel for the petitioner would rely upon the enquiry detail form dated 17.05.2025, it does not disclose against which charges, they have been prosecuting against the petitioner. Therefore, this Court finds the merits on the submission made by the learned counsel for the petitioner. Hence, the impugned order dated 05.07.2025 is quashed. However, considering the peculiarity of the issue, the matter is remitted back to the respondent to have a fresh consideration in accordance with law.

8. In view of the above, this Court deems it appropriate to direct the



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respondent to complete the enquiry against the petitioner and pass orders on its own merits and in accordance with law within a period of two weeks from the date of receipt of copy of this order. However, the petitioner is at liberty to give a representation to the Vice Chancellor if she is otherwise willing.

9. In the result, the Writ petition is disposed of with the aforesaid observations. No costs. Consequently, connected miscellaneous petitions are closed.

06-08-2025

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

To:

SRM Institute Of Science And Technology
Department Of Computational Intelligence, SRM
Nagar, Kattankalathur Chengalpattu District, 603002

C.KUMARAPPAN J.



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