



W.P.No.32574 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2025

CORAM:

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

W.P.No.32574 of 2019

UR.Velayudham

... Petitioner

-Vs-

1. University Grants Commission,
Represented by its Secretary,
Bhadur Shah Zafar Marg,
New Delhi 110 002.
2. Karnataka State Open University,
Through its Registrar,
Mukhtagangotri,
Mysore, Karnataka 570 006.
3. M/s.Scope,
Formerly known as Sandhip Foundation,
Represented by its Chairman
Sandhip Jha, 2nd Floor, Koteswar Plaza,
Nehru Road, Mulund, (W),
Mumbai 400 080.
4. S.S.K College,
Represented by its Trustee,
M.S. Keshavan,
City Centre Plaza,
Second Floor, No. 7,
Anna Salai,
Chennai 600 002.

... Respondents



W.P.No.32574 of 2019

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent Open University to issue the petitioner's convocation certificate for passing of the B.Tech in Civil Engineering degree examination held in the month of July, 2014 bearing Register No.11SF1LBTC0110 conducted by the second respondent Open University through 4th respondent study centre which is duly approved and authorized by the 3rd respondent herein.

For Petitioner : Mr.B.Ramakrishnan
For R1 : Mrs.V.Sudha
Senior Panel Counsel
For R2 : Mr.N.Umapathy
For R4 : M/s M.V.V.N.Sivanthy

ORDER

This writ petition has been filed for direction directing the second respondent Open University to issue the petitioner's convocation certificate for passing of the B.Tech in Civil Engineering degree examination held in the month of July, 2014 bearing Register No.11SF1LBTC0110 conducted by the second respondent Open University through 4th respondent study centre which is duly approved and authorized by the 3rd respondent herein.

2. Heard the learned counsel for the petitioner, the learned Senior Panel Counsel for the first respondent and the learned counsels for the second and fourth respondents and perused the materials available on record.

3. The petitioner had joined B.Tech in Civil Engineering course in the



W.P.No.32574 of 2019

fourth respondent study centre of the second respondent Open University. After completion of his B.Tech in Civil Engineering course, in the month of July, 2014, the petitioner was issued only provisional pass certificate by the second respondent. Though the fourth respondent collected convocation fee, till now, the convocation certificate is not issued to the petitioner in order to pursue his higher studies and employment.

4. A perusal of the counter filed by the first respondent and also on the submissions made by the learned Senior Panel Counsel appearing for the first respondent revealed that the second respondent University is established by an Act of State Legislature and it was accorded Institutional Recognition by the erstwhile Distance Education Council (DEC), Indira Gandhi National Open University-IGNOU from the year 2007-08 to 2012-13 to offer programmes through District Mode. Thereafter, no further recognition was accorded to the University till 2017-18, since it was found to be blatantly violating the norms of the first respondent and as such, the recognition was not continued further beyond the Academic Year 2012-2013 till 2017-2018. Further the Distance Education Council had also invited all the Open and District Learning (ODL) providers in the country to stop offering B.E/B.Tech programme through



W.P.No.32574 of 2019

distance mode and directed them not to take admission in B.E/B.Tech programme from 2009-2010 onwards. Further, Technical/Professional Education to be offered through the distance mode; approval of the concerned Apex Regulatory Body is required and for which the responsibility of getting such approvals, solely rest with the concerned University. Further, All India Council for Technical Education (AICTE) vide its Public Notice/Advertisement No.UB04(04)/2010 in the year 2010 and 2011 had notified their policy of not recognizing the qualifications acquired through distance education mode for Diploma, Bachelor and Masters Level in the field of Engineering and Technology. The then Distance Education Council had not given its mandatory recognitions to offer B.E and B.Tech programmes to any University through the distance mode. Therefore, the second respondent was running Open Distance Learning centres throughout the country unauthorizedly contrary to the provisions of the Act, 1992. The provisions under Section 1(2) of the Act makes it abundantly clear that the operation and applicability of the aforesaid Act of 1992 is limited to the territorial area of the State of Karnataka. Even otherwise the State Legislature has no power to enact a law having effect and operation outside the geographical area of the State of Karnataka in view of the provisions of Article 245(1) of the Constitution of India. Therefore, the act of



W.P.No.32574 of 2019

the second respondent in authorizing centres outside the State was perse illegal.

WEB COPY

5. Further, the Hon'ble Supreme Court of India held in Civil Appeal Nos.17869-17870 of 2017 by the Judgment dated 03.11.2017 in the case of ***Orissa Lift Irrigation Corporation Ltd., Vs Rabi Sankar Patro***, with regard to the professional courses in Engineering and Technology through Open Distance Learning mode wherein all the degrees in Engineering awarded by concerned deemed to be Universities without the approval of AICTE after 2001-2005 stand recalled and be treated as cancelled.

6. In view of the above, the request made by the petitioner for issuance of convocation certificate cannot be considered and the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. No costs.

15.10.2025

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
mn

G.K.ILANTHIRAIYAN. J.



W.P.No.32574 of 2019

mn

WEB COPY

To

1. The Secretary,
University Grants Commission,
Bhadur Shah Zafar Marg,
New Delhi 110 002.
2. The Registrar,
Karnataka State Open University,
Mukhtagangotri,
Mysore, Karnataka 570 006.
3. The Chairman
Sandhip Jha,
M/s.Scope,
Formerly known as Sandhip Foundation,
2nd Floor, Koteswar Plaza,
Nehru Road, Mulund, (W),
Mumbai 400 080.
4. The Trustee,
M.S. Keshavan,
S.S.K College,
City Centre Plaza,
Second Floor, No. 7,
Anna Salai,
Chennai 600 002.

W.P.No.32574 of 2019

15.10.2025