



W.P.No.464 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

CORAM

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.464 of 2025

and

W.M.P.No.542 of 2025

Staines Berlin Selvarajan
S/o. Berlin Selvarajan

...Petitioner

Vs.

The Director,
Bharathidhasan Institute of Management,
BHEL Complex,
MHD Campus,
BHEL Trichy Main Office Road,
Tiruchirapalli,
Tamil Nadu- 620 014.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to award the MBA degree and other certificates viz consolidated mark sheet and provisional certificate forthwith to the petitioner.

For Petitioner

: Mr.S.Conscious Ilango



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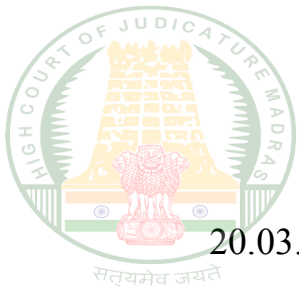
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For Respondent

: Mrs. A.L.Ganthimathi,
Senior counsel
for Mr.M/s.S.Meenakshi

ORDER

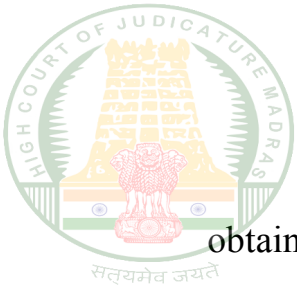
The petitioner joined the B.Tech (Food Process Engineering) Course in 2017 and completed the said Course in the year 2022. The petitioner, passed all the examinations of the under Graduation Degree, in the course of the first year of MBA Degree. Meanwhile, the results of his IVth semester U.G examinations were published on 03.11.2022, wherein the petitioner failed in one subject viz., Machine Design and Drawing (Course Code-FMP 215). On 13.02.2023, the respondent, in their Internal Academic Council, decided not to allow the petitioner to continue with Trimester III with immediate effect. Thereafter, the petitioner filed W.P.No.4912 of 2023 for issuance of writ of Mandamus, to direct the 1st respondent therein i.e., Registrar, Tamil Nadu Agricultural University to award 3 marks as grace marks for the subject viz., Machine Design and Drawing (Course Code-FMP 215) in the IV Semester Exam to enable the petitioner to continue the Trimester III in the MBA Course in the respondent / Institute without any break. On



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20.03.2023 the said writ petition was disposed of with a direction to the respondent therein to allow the petitioner to continue the course and to take up the examination by accepting the course completion certificate submitted by the petitioner. Thereafter, the petitioner completed the MBA Course in April 2024. On 05.09.2024, the respondent sent an e-mail to the petitioner stating that he was not eligible for the award of MBA Degree in the year 2024. The petitioner was therefore constrained to file the writ petition for the aforesaid relief.

2.The respondent / Management filed a detailed counter affidavit and submitted that the award of MBA Degree during the 39th Convocation was only for those candidates who completed the Degree Course from November 2023 to April 2024 alone. Though the petitioner had passed all the examinations of MBA programme by April 2024, he had completed the Under-Graduate Degree only on 01.03.2023 and therefore, he was ineligible for award of MBA Degree during the 39th convocation of the respondent University. According to the respondent, it was mandatory to have a two year gap between the UG degree and the P.G degree. In the case of the petitioner as the UG degree was not



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obtained with a two year gap of the MBA Degree, the MBA degree could not be awarded in the 39th convocation. The respondent submitted that there were no malafides in not recommending the petitioner for the award of MBA Degree. The respondent therefore submitted that there were no merits in the writ petition and the same deserved to be dismissed.

3.Heard both counsels. With the consent of both counsels, the writ petition is finally disposed of.

4.Indisputably, the petitioner successfully completed his MBA Course in the year 2024, but the only reason for not awarding the MBA Degree was that the petitioner had completed his Under-Graduate Course only on 01.03.2023. According to the respondents, there should be a gap of atleast two years between the PG Degree and UG Degree. As the petitioner completed his UG Degree only on 01.03.2023, the petitioner was not awarded the MBA Degree as on 2024, in the 39th Convocation of the Bharathidasan University, Tiruchirapalli. Learned counsel for the petitioner submitted that the petitioner had successfully completed his MBA Course in 2024, and so he ought to have been awarded the Degree



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in the 39th Convocation. No doubt, the petitioner completed his MBA Degree in 2024, but the fact remains that the petitioner completed his UG Degree only on 01.03.2023. According to the respondent, there should be a gap of two years between UG Degree and the MBA Degree. Therefore, the respondent cannot be faulted for not recommending the petitioner for award of the MBA Degree in the 39th convocation held on 29.10.2024.

5. In any event, the petitioner having successfully completed MBA in 2024, there should be no impediment for the respondent to issue the provisional certificate immediately along with the mark sheets till the MBA degree is awarded in the 40th convocation. Pertinently, the respondent, in its counter has admitted that the award of the MBA Degree, would be considered during the 40th convocation of Bharathidasan University, Tiruchirapalli, to be held in 2025. Hence, the respondent is directed to issue the Provisional Certificate and Mark Sheets for the MBA degree, to the petitioner forthwith, in any event, not later than two weeks from the date of receipt of a copy of this order. Thereafter, the respondent shall award the MBA Degree to the petitioner in the 40th Convocation of the University to be held in 2025.



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6. With the above direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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vsn

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

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N.MALA,J.

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