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W.P.No.46724 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-12-2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.46724 of 2025

S.Kalichandran
S/o.Sanmugavel,
Door No.1462/C, 4th Street,
Aasari Colony, Satchiyapuram,
Sivakasi, Virudhunagar,
Tamil Nadu 626 124.

... Petitioner
/versus/

1. The Secretary,
Higher Education Department,
Government Of Tamil Nadu,
Fort St.George, Chennai 600 009.

2.The Director Of Collegiate Education,
Dpi Campus, College Road,
Chennai 600 006.

3.The Registrar,
University Of Madras, Chepauk,
Chennai 600 005.

4.The District Collector,
Office Of The District Collector,
Chennai District, Chennai 600 001.

5.The Regional Joint Director
Of Collegiate Education, Chennai
Region, DPI Campus, College Road,
Chennai 600 006.



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6.The Principal,
Jaya Govind Harigopal Agarwal Agarsen College,
No.1, Manjambakkam Road,
Madhavaram, Chennai 600 060.

7.The Principal,
Guru Nanak College (Autonomous),
No.161, Velachery Main Road,
Guru Nanak Salai, Velachery,
Chennai 600 042.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus directing the 6th Respondent to permit the petitioner to continue and complete his B.A.(Defence and Strategic Studies) Course in the same college without compelling the petitioner to transfer or to direct the 7th Respondent to admit the petitioner under intra-university transfer in accordance with University regulations by considering the petitioners representation dated 12/10/2025 given to the Respondents 1 to 5.

For Petitioner: D.Prasanna Kumar

For Respondents: Mr.D.Ravichandran, For R3
Mr.Vadivel Deenadhayan,
Additional Government Pleader,
for R1, R2, R4, R5

ORDER

This writ petition is filed seeking a mandamus directing the 6th respondent to permit the petitioner to continue and complete the B.A (Defence and Strategic Studies) course in the same college without compelling the petitioner to transfer, or in alternate, to direct the 7th respondent to admit the petitioner under intra-university transfer in accordance with the University Regulations, by



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considering the representation dated 12.10.2025.

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2. Upon perusing the affidavit filed in support of the writ petition and hearing the Learned Counsel for the petitioner, the grievance of the petitioner is that the petitioner applied for the B.A (Defence and Strategic Studies) course for the academic year 2023-2026 and was also granted admission in the 6th respondent Institution. The petitioner had also paid all the fees and attended the classes. While so, the other students who are originally admitted along with the batch of students either were transferred or withdrew from studies, on account of which the petitioner became the lone student remaining in the course.

3. In view thereof, it became unviable for the 6th respondent to continue the course only for the petitioner alone and therefore, the petitioner was orally instructed to apply for transfer to other colleges where the course is available. Accordingly, the petitioner ascertained and applied for transfer to the 7th respondent college. After processing the application, the 7th respondent is now refusing to grant admission on the ground that the petitioner has arrears in the previous semester.

4. As a matter of fact, the petitioner has arrears in three subjects: one from the 3rd semester and two from 4th semester, namely (i) International Relations



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Politics, (ii) Military Geopolitics and Military Geography, and (iii) Terrorism in India.

5. The Learned Counsel appearing on behalf of the University as well as the 7th respondent college would point out to Regulation 6.8.1, whereby the regulation require that if any student requests for transfer, he should have cleared all the papers by then. Therefore, the 7th respondent institution was right in insisting that either the student should have cleared all the subjects or the University should facilitate the writing of the examinations by the student.

6. I have considered the rival submissions made and perused the material records of the case.

7. A perusal of the Regulation 6.8.1 reads that the transfer of the students is permitted from one institution to another institution for the same programme with the same nomenclature, provided there is a vacancy in respect of the said programme of study in the institution where the transfer is requested and provided the students should have passed all the courses in the institution from where the transfer is requested. In this case, the fact that the course is of the same nomenclature and there is a vacancy for the 7th respondent to admit are not at issue. The only issue is that the student has not passed all the subjects. In this



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regard, it must be seen that this is not a case where the transfer is requested by the student, but on account of the special facts and circumstances the case, it is the 6th respondent Institution and the University as well as in the best interests of the student, the transfer is made inevitable, as the petitioner is the only student remaining in the 6th respondent college. Therefore, the second proviso to Regulation 6.8.1 will not apply to the present factual scenario.

8. Moreover, when a query was made by this Court, the Learned Counsel appearing on behalf of the University, had made an assurance that the University will approve for this student to write the arrears examinations from the 7th respondent transferee college also. If such an order is made, the 7th respondent institution also has no objection in admitting the student. Yet another factor is brought to the notice of the Court that in the interregnum, the entire classes and the examination for the 5th semester is over and if the student is admitted now, the student will straight away undergo the 6th semester and thereafter, write the examinations of the 6th semester and also the arrears examinations and in the ensuing academic year, the student can undergo the 5th semester and write the examinations of the 5th semester and accordingly complete the course. Such a course is necessary because it is not the mistake of the petitioner or anybody else for the matter and therefore, such directions can be issued and no authority shall find fault with the flipped manner in which the



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student is taking up the 5th and 6th semester examinations, for any purpose whatsoever.

9. In view thereof, this writ petition is disposed of on the following terms:

(i) The petitioner shall be forthwith admitted in the 7th respondent institution in the B.A (Defence and Strategic Studies) programme in the III year and shall continue the course from the 6th semester, which is said to have been started by now.

(ii) The University shall have no objection and the petitioner shall apply through the 7th respondent college itself for writing the arrears examinations. Such application shall be received and if any special orders have to be passed, the University shall pass the special orders and the petitioner will be entitled to write the arrears examinations and clear of the arrears as per merit and the examination shall be conducted in respect of the petitioner;

(iii) The petitioner will undergo the 6th semester and upon fulfilling the attendance and the other requisites, will take up the 6th semester examination and shall also write the arrears examinations. Thereafter, in the next academic year, the petitioner will undergo and complete the 5th semester upon which the course will be deemed to have been completed and he shall write the papers in



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respect of the 5th semester examinations.

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(iv) No authority whatsoever, at any point of time and for any purpose, shall deem it a default as there is no mistake whatsoever on the part of the petitioner in flipping the 5th and 6th semesters and it is only because of the special circumstances that arose in the case.

(v) The Authorities shall act upon the web copy of this order without waiting for the certified copy of the order.

10. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

09-12-2025

Neutral Citation: Yes
bsm

To,
1. The Secretary,
Higher Education Department,
Government Of Tamil Nadu,
Fort St. George, Chennai 600 009.

2. The Director Of Collegiate Education,
DPI Campus, College Road,
Chennai 600 006.



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3.The Registrar,
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4.The District Collector,
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Chennai District, Chennai 600 001.

5.The Regional Joint Director
Of Collegiate Education, Chennai Region,
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Nanak Salai, Velachery, Chennai 600
042.

8. The Government Pleader, High Court, Madras.



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D.BHARATHA CHAKRAVARTHY J.
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