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W.A.Nos.2415 to 2422 of 2018 etc.,

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2025

CORAM

THE HONOURABLE MR. JUSTICE **S.M.SUBRAMANIAM**
AND
THE HONOURABLE MR. JUSTICE **MOHAMMED SHAFFIQ**

W.A.Nos.2415 to 2422 of 2018
and
W.P.Nos.22391 and 24309 to 24311 of 2018
and
C.M.P. Nos.19548, 19549, 19553 to 19557 and 19559 of 2018

W.A.No.2415 of 2018

The Registrar,
Saveetha School of Law,
Saveetha University,
162, Poonamallee High Road,
Velappanchavadi, Chennai – 600 077.

... Appellant

Vs.

- 1.S.Sreekantan Nair
- 2.The Secretary to Government of Tamil Nadu,
Law Department, Chennai – 600 009.
- 3.University Grants Commission,
South Campus, University of Delhi,
Benito Juarez Marg,
New Delhi – 110 002.
- 4.The Secretary,
Bar Council of India,
No.21, Rouse Avenue, Institutional Area,
New Delhi – 110 002.

... Respondents



W.A.Nos.2415 to 2422 of 2018 etc.,

W.A.No.2416 of 2018

1.Saveetha University
rep. By The Registrar,
162, Poonamallee High Road,
Poonamallee, Chennai – 600 077.

2.Saveetha School of Law
rep. By its Principal,
Saveetha University,
No.162, Poonamallee High Road,
Poonamallee, Chennai – 600 077.

... Appellants

Vs.

J.Srinivasan

... Respondent

W.A.No.2417 of 2018

The Registrar,
Saveetha School of Law,
No.162, Poonamallee High Road,
Velappanchavadi, Chennai – 600 077.

... Appellant

Vs.

1.S.R.Sai Priya

2.University Grants Commission,
South Campus, University of Delhi,
Benito Juarez Marg,
New Delhi – 110 002.

3.The Secretary,
Bar Council of India,
No.21, Rouse Avenue, Institutional Area,
New Delhi – 110 002.

... Respondents

W.A.No.2418 of 2018



W.A.Nos.2415 to 2422 of 2018 etc.,

The Registrar,
Saveetha School of Law,
Saveetha University,
62, Poonamallee High Road,
Velappanchavadi, Chennai – 600 077.

... Appellant

Vs.

1.R.Senthil Kumar

2.University Grants Commission,
South Campus, University of Delhi,
Benito Juarez Marg,
New Delhi – 110 002.

3.The Secretary,
Bar Council of India,
No.21, Rouse Avenue, Institutional Area,
New Delhi – 110 002.

... Respondents

W.A.No.2419 of 2018

1.The Registrar,
Saveetha School of Law,
Saveetha University,
No.162, Poonamallee High Road,
Velappanchavadi, Chennai – 600 077.

2.The Principal,
Saveetha School of Law,
Saveetha University,
No.162, Poonamallee High Road,
Velappanchavadi, Chennai – 600 077.

... Appellants

Vs.

1.M.Sudhakar

2.University Grants Commission,
South Campus, University of Delhi,
Benito Juarez Marg,
New Delhi – 110 002.

... Respondents

W.A.No.2420 of 2018



W.A.Nos.2415 to 2422 of 2018 etc.,

1.The Registrar,
Saveetha School of Law,
No.162, Poonamallee High Road,
Velappanchavadi, Chennai – 600 077.

2.The Principal,
Saveetha School of Law,
No.162, Poonamallee High Road,
Velappanchavadi, Chennai – 600 077.

... Appellants

Vs.

1.K.Prabhakar

2.University Grants Commission,
South Campus, University of Delhi,
Benito Juarez Marg,
New Delhi – 110 002.

... Respondents

W.A.No.2421 of 2018

1.The Registrar,
Saveetha School of Law,
Saveetha University,
No.162, Poonamallee High Road,
Velappanchavadi, Chennai – 600 077.

2.The Principal,
Saveetha School of Law,
Saveetha University,
No.162, Poonamallee High Road,
Velappanchavadi, Chennai – 600 077.

... Appellants

Vs.

1.P.Santhimani

2.University Grants Commission,
South Campus, University of Delhi,
Benito Juarez Marg,
New Delhi – 110 002.

... Respondents

W.A.No.2422 of 2018



W.A.Nos.2415 to 2422 of 2018 etc.,

1.The Principal,
Saveetha School of Law,
Saveetha University,
162, Poonamallee High Road,
Chennai – 600 077.

2.The Registrar,
Saveetha University,
162, Poonamallee High Road,
Chennai – 600 077.

... Appellants

Vs.

Manik A.Jain

... Respondent

W.P.No.22391 of 2018

C.Vijayaraman

... Petitioner

Vs.

1.Government of Tamil Nadu
rep. By Secretary to Govt.,
Law Department, Fort St. George,
Chennai – 600 009.

2.University Grants Commission,
South Campus, University of Delhi,
Benito Juarez Marg, New Delhi – 110 002.

3.The Secretary,
Bar Council of India,
No.21, Rouse Avenue,
Institutional Area,
New Delhi – 110 002.

4.The Registrar,
Saveetha School of Law,
Saveetha University,
162, Poonamallee High Road,
Velappanchavadi, Chennai – 600 077.

... Respondents



W.A.Nos.2415 to 2422 of 2018 etc.,

W.P.No.24309 of 2018

V.Jeganathan

... Petitioner

Vs.

1.University Grants Commission,
South Campus, University of Delhi,
Benito Juarez Marg,
New Delhi – 110 002.

2.The Registrar,
Saveetha School of Law,
Saveetha University,
No.162, Poonamallee High Road,
Velappanchavadi, Chennai – 600 077.

3.The Principal,
Saveetha School of Law,
Saveetha University,
No.162, Poonamallee High Road,
Velappanchavadi, Chennai – 600 077.

... Respondents

W.P.No.24310 of 2018

R.Govindaraj

... Petitioner

Vs.

1.University Grants Commission,
South Campus, University of Delhi,
Benito Juarez Marg,
New Delhi – 110 002.

2.The Registrar,
Saveetha School of Law,
Saveetha University,
No.162, Poonamallee High Road,
Velappanchavadi, Chennai – 600 077.

... Respondents

W.P.No.24311 of 2018



W.A.Nos.2415 to 2422 of 2018 etc.,

V.Devendra Reddy

... Petitioner

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Vs.

1.University Grants Commission,
South Campus, University of Delhi,
Benito Juarez Marg,
New Delhi – 110 002.

2.The Registrar,
Saveetha School of Law,
Saveetha University,
No.162, Poonamallee High Road,
Velappanchavadi, Chennai – 600 077.

... Respondents

Prayer in W.A.Nos.2415 to 2422 of 2018: Writ Appeals filed under Clause 15 of Letters Patent against the order dated 01.08.2018 made in W.P.No.16310, 13021, 6614, 9758, 18898, 6612, 18899 and 15593 of 2018.

Prayer in W.P.No.22391 of 2018: Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus directing the fourth respondent to refund the fees of a sum of Rs.2,42,500/- with interest at the rate of 12% per annum paid by the petitioner on behalf of petitioner's son V.Vignesh (Registration No:1317022016) who studied in the 4th respondent college in the academic year 2017-2018 in accordance with the judgment of this Court rendered with regard to petitioner's son and such other similarly placed persons like K.A.Robert James and others in a batch of Writ Petition Nos.17111, 161310, 9758, 6612, 6614, 15593, 18898, 18899 and 13021 of 2018 dated 01.08.2018.

Prayer in W.P.Nos.24309 to 24311 of 2018: Petition filed under Article



W.A.Nos.2415 to 2422 of 2018 etc.,

226 of The Constitution of India praying for the issuance of a writ of mandamus directing the second respondent to refund the tuition fees and other charges collected from the petitioners with damages.

W.A.No.2415 of 2018

For Appellant : Mr.P.Wilson,
Senior Counsel
for Mr.P.Navaneethakrishnan

For Respondents : Mr.A.Selvendran,
Special Government Pleader for R2
Mr.P.R.Gopinathan for R3
Mr.S.R.Raghunathan for R4

W.A.No.2416 of 2018

For Appellants : Mr.P.Wilson,
Senior Counsel
for Mr.P.Navaneethakrishnan

W.A.No.2417 of 2018

For Appellant : Mr.P.Wilson,
Senior Counsel
for Mr.P.Navaneethakrishnan

For Respondents : Ms.K.Lakshana
for Mr.Dhalapathy Vignesh Kumar
for R1
Mr.P.R.Gopinathan for R2
Mr.S.R.Raghunathan for R3

W.A.No.2418 of 2018



W.A.Nos.2415 to 2422 of 2018 etc.,

For Appellant : Mr.P.Wilson,
Senior Counsel
for Mr.P.Navaneethakrishnan

For Respondents : Mr.R.Nalliyappan for R1
Mr.P.R.Gopinathan for R2
Mr.S.R.Raghunathan for R3

W.A.No.2419 of 2018

For Appellants : Mr.P.Wilson,
Senior Counsel
for Mr.P.Navaneethakrishnan

For Respondents : Mr.P.R.Gopinathan for R2
No appearance for R1

W.A.No.2420 of 2018

For Appellants : Mr.P.Wilson,
Senior Counsel
for Mr.P.Navaneethakrishnan

For Respondents : Ms.K.Lakshana
for Mr.Dhalapathy Vignesh Kumar
for R1
Mr.P.R.Gopinathan for R2

W.A.No.2421 of 2018

For Appellants .. Mr.P.Wilson,
Senior Counsel
for Mr.P.Navaneethakrishnan

For Respondents .. Ms.K.Lakshana
for Mr.Dhalapathy Vignesh Kumar
for R1
Mr.P.R.Gopinathan for R2

W.A.No.2422 of 2018



W.A.Nos.2415 to 2422 of 2018 etc.,

For Appellants

..

Mr.P.Wilson,
Senior Counsel
for Mr.P.Navaneethakrishnan

For Respondent

..

Ms.C.Rekhakumari

W.P.No.22391 of 2018

For Petitioner

..

Ms.G.Durga Devi

For Respondents

..

Mr.A.Selvendran,
Special Government Pleader for R1
Mr.P.R.Gopinathan for R2
Mr.S.R.Raghunathan for R3
Mr.P.Wilson,
Senior Counsel
for Mr.P.Navaneethakrishnan for R4

W.P.No.24309 of 2018

For Petitioner

..

Ms.K.Lakshana
for Mr.Dhalapathy Vignesh Kumar

For Respondents

..

Mr.P.R.Gopinathan for R1
Mr.P.Wilson,
Senior Counsel
for Mr.P.Navaneethakrishnan
for R2 and R3

W.P.No.24310 of 2018

For Petitioner

..

Ms.K.Lakshana
for Mr.Dhalapathy Vignesh Kumar

For Respondents

..

Mr.P.R.Gopinathan for R1
Mr.P.Wilson,
Senior Counsel
for Mr.P.Navaneethakrishnan for R2

W.P.No.24311 of 2018



W.A.Nos.2415 to 2422 of 2018 etc.,

For Petitioner .. Ms.K.Lakshna
for Mr.Dhalapathy Vignesh Kumar

For Respondents .. Mr.P.R.Gopinathan for R1
Mr.P.Wilson,
Senior Counsel
for Mr.P.Navaneethakrishnan for R2

COMMON JUDGMENT

(Judgment of the Court was delivered by *S.M.SUBRAMANIAM, J.*)

Writ appeals have been instituted challenging common order passed by writ Court in a batch of writ petitions on 01.08.2018.

2. Writ petitioners/students instituted writ petitions seeking refund of fee paid by them to appellant/Saveetha School of Law on the ground that the appellant admitted students to Law course without recognition from the Bar Council of India.

3. Writ Court adjudicated the issues and granted relief by directing appellant to repay the entire fee collected from writ petitioners.

4. Mr.P.Wilson, learned senior counsel appearing on behalf of appellant would mainly contend that as per prospectus, refund policy had been agreed between college management and students. Since they have agreed to refund policy and given an undertaking, they are bound by the conditions



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stipulated and as per policy, refund will be made to writ petitioners/students.

Refund policy has been adopted by appellant based on guidelines issued by University Grants Commission. Thus, said guidelines are binding on appellant University as well as students who secured admission to Law course in appellant University.

5. Learned counsel appearing on behalf of Bar Council of India would submit that courses were started by appellant University without obtaining recognition/approval from Bar Council of India. However, Bar Council of India granted retrospective approval for running B.B.A., L.L.B., (Honors) and B.A., L.L.B., (Honors) till the year 2017 and 2018. Learned counsel would submit that refund policy has been notified by Bar Council of India on 20.10.2023. However, said policy cannot be adopted in respect of cases on hand since admissions were made during academic year 2017-2018.

6. Learned counsel appearing on behalf of writ petitioner in W.P.No.22391 of 2018 would submit that Mr.V.Vignesh, son of writ petitioner, undergone Law course for one year in appellant university. Since Law course was not recognised by Bar Council of India, he left the college and joined in some other course. Thus, he is entitled for the refund of entire fee and writ petition has to be allowed.

7. This Court has considered rival submissions made between parties to



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lis on hand.

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8. University Grants Commission's Notification on Remittance and Refund of Fees and Other Student-centric Issues issued in December, 2016 would provide refund policy. Clauses 4.2.3, 4.2.4 and 4.2.5 of Notification read as under:

'4.2.3. If a student chooses to withdraw from the program of study in which he/she is enrolled, the institution concerned shall follow the following four-tier system for the refund of fees remitted by the student.

Sr.No.	Percentage of Refund of Aggregate Fees*	Point of time when notice of withdrawal of admission is served to HEI
(1)	100%	15 days before the formally-notified last date of admission
(2)	80%	Not more than 15 days after the formally-notified last date of admission
(3)	50%	More than 15 days but less than 30 days after formally-notified last date of admission
(4)	00%	More than 30 days after formally-notified last date of admission

**(Inclusive of course fees and non-tuition fees but exclusive of caution money and security deposit)*

4.2.4 In case of (1) in the table above, the HEI concerned shall deduct an amount not more than 10% of the aggregate fees as processing charges from the refundable amount.



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4.2.5 Fees shall be refunded by all HEIs to an eligible student within fifteen days from the date of receiving a written application from him/her in this regard.

9. In lieu of Notification issued, said refund policy has been adopted by appellant college in their prospectus. It is needless to state that terms and conditions stipulated in the prospectus are binding both management and students. Therefore, students discontinuing the course are entitled to get refund of fee as per Notification issued by University Grants Commission and in the present case, as per prospectus issued by appellant management in consonance with the refund policy notified by University Grants Commission.

10. Though students were admitted for the academic session 2017-2018 in Law course without recognition, appellant management secured interim order from the Delhi High Court in W.P.(C).No.4606 of 2017. Subsequently, University Grants Commission granted approval vide order dated 13.02.2019. Regarding students admitted during 2017-2018 academic session, order was passed by University Grants Commission in November, 2018, according approval for duly treating the degrees of the students already passed out and presently enrolled in the Law and B.P.Ed. courses. Thus academic session 2017-2018 was also approved by University Grants Commission. Bar council of India filed a counter affidavit in W.P. No.16310 of



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2018 and paragraph no.8 of counter affidavit reads as under:

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'8. In so far as the B.A.L.L.B (Hons) course is concerned, the Committee already accorded approval till the year 2014-15. Thereafter the 4th respondent had applied for further extension of approval with requisite inspection fee in November, 2014. I submit that as per the decision of the Bar Council of India, the B.A.L.L.B (Hons) Course also has provisional approval till the year 2017-18. Therefore, the Bar Council of India has granted retrospective approval for running the B.B.A.L.L.B (Hons) and B.A.L.L.B (Hons) till the year 2017-18.'

11. Learned counsel for Bar Council of India would also submit that Bar Council of India has granted retrospective approval for running B.B.A.L.L.B (Honors) and B.A.L.L.B (Honors) till the year 2017-2018. Since retrospective approval has been granted validating the degrees granted by appellant University in respect of passed out students, fee refund policy as notified by University Grants Commission alone is to be followed.

12. The appellant management has no quarrel in refunding fee as per University Grants Commission refund policy which is adopted by them in their prospectus. Writ Court has issued a direction to refund the entire fee.

13. This Court is of the considered view that the terms and conditions in prospectus are binding both the management and the students. In the present



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case, though recognition was not granted at the time of admission of students in Law courses even within short span of period such recognition was granted with retrospective effect both by Bar Council of India and by University Grants Commission. That being the factum, students who discontinued the courses are entitled to get refund of fee only to the extent as contemplated in University Grants Commission Notification as adopted by appellant University in their prospectus. Thus, appellant University is directed to make refund to the eligible students as per their prospectus and in consonance with the refund policy notified by University Grants Commission.

14. With the above directions, writ order impugned 01.08.2018 made in W.P.Nos.16310, 13021, 6614, 9758, 18898, 6612, 18899 and 15593 of 2018 is set aside and Writ appeals are allowed. Consequently, connected miscellaneous petitions are closed. In view of the order passed in writ appeals, writ petitions in W.P.Nos.22391 and 24309 to 24311 of 2018 are also disposed of. There shall be no order as to costs.

[S.M.S., J.] [M.S.Q., J.]
10.11.2025

Index:Yes/No
Neutral Citation:Yes/No
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1.The Secretary to Government of Tamil Nadu,
Law Department, Chennai – 600 009.

2.The University Grants Commission,
South Campus, University of Delhi,
Benito Juarez Marg,
New Delhi – 110 002.

3.The Secretary,
Bar Council of India,
No.21, Rouse Avenue, Institutional Area,
New Delhi – 110 002.



W.A.Nos.2415 to 2422 of 2018 etc.,

**S.M.SUBRAMANIAM, J.
AND
MOHAMMED SHAFFIQ, J.**

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**W.A.Nos.2415 to 2422 of 2018
and
W.P.Nos.22391 and 24309 to 24311 of 2018**

10.11.2025