

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Monday, the Eleventh day of April Two Thousand Sixteen

PRESENT

THE HON'BLE MR JUSTICE R.SUBBIAH

WP No.9581 of 2016

and WMP.NOs.8616 and 8617 of 2016

BHARATH POST GRADUATE COLLEGE, [PETITIONER IN BOTH THE PETITIONS]
(A UNIT OF SPE TRUST), REP. BY ITS DIRECTOR,
MR.P.C.BHASKAR, NO.8, KARPAGAMBAL NAGAR,
MYLAPORE, CHENNAI-600 004.

Vs

1 UNION OF INDIAN, [RESPONDENTS IN BOTH THE PETITIONS]
REP. BY ITS SECRETARY TO GOVERNMENT,
MINISTRY OF HUMAN RESOURCES AND DEVELOPMENT,
NEW DELHI-110 001.

2 UNIVERSITY GRANTS COMMISSION,
REP. BY ITS SECRETARY, BHADUR SHAH ZAFAR
MARG, NEW DELHI-110 002.

3 THE REGISTRAR,
KARNATAKA STATE OPEN UNIVERSITY,
MANASAGANGOTRI, MYSORE-570 006.

Writ Petitions under Article 226 of the Constitution of India
praying that in these circumstances stated therein and in the
respective affidavits filed therewith the High Court will be
pleased to

[i] issue a Writ of Certiorarified mandamus or any other
appropriate Writ, order or direction of like nature Calling for the
records relating to notification bearing No.KSOU/AB/ Est-
1/314/2015-16 dated 05.03.2016 on the files of the 3rd respondent
and quash the same and consequently direct the 3rd respondent to
permit the existing students to undergo the various courses and to
write the semester/yearly examination for the ensuing academic years
till their completion of courses [in WP No.9581 of 2016];

[ii] To stay the operation of the notification bearing
No.KSOU/AB/ Est-1/314/2015-16 dated 05.03.2016 issued by the 3rd
respondent [in WMP.8616 of 2016] pending [in WP No.9581 of 2016];

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[iii] To direct the 3rd respondent to permit the existing students to writ the semester/yearly examination for various courses for the academic year 2015-2016 (First Cycle) scheduled to be held from 23.04.2016 or on any other subsequent date [in WMP.8617 of 2016] pending [in WP No.9581 of 2016] respectively.

Order : These petitions coming on for orders upon perusing these petitions and these affidavits filed in support thereof and upon hearing the arguments of M/S.JAYESH B.DOLIA for M/S.AIYAR AND DOLIA, Advocate for the petitioner in both the petitions and of MR.S.MEENAKUMARI, Central Government Standing Counsel for R1 and MR.P.R.GOPINATHAN, Advocate for R2 and MR.ARUN ANBUMANI, Advocate for R3, on behalf of the Respondents in both the petitions the court made the following order:-

When the matter is taken up for consideration, learned counsel for the third respondent-Karnataka State Open University, submitted that they will comply with the interim order passed by this Court on 15.03.2016.

2. However, learned counsel for the petitioner-College submitted that time is too short to conduct the examination and he seeks permission to conduct the examination in May 2016.

3. Considering the short duration of time, the petitioner-College is permitted to conduct the examination during the second week of May 2016, subject to the condition that the petitioner-College shall comply with all the requirements.

4. Post this Writ Petition along with W.P.No.39937 of 2015 and 23387 of 2015.

-sd/-

11/04/2016

/ TRUE COPY /

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11/4/16

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SECRETARY TO GOVERNMENT,
UNION OF INDIAN, MINISTRY OF HUMAN
RESOURCES AND DEVELOPMENT, NEW DELHI-110 001.

2 THE SECRETARY,
UNIVERSITY GRANTS COMMISSION,
BHADUR SHAH ZAFAR MARG, NEW DELHI-110 002.

3 THE REGISTRAR,
KARNATAKA STATE OPEN UNIVERSITY,
MANASAGANGOTTHRI, MYSORE-570 006.

C.C. to M/S.AIYAR AND DOLIA Advocate Sr.No.5285.

C.C. to MR.ARUN ANBUMANI, Advocate on payment of necessary charges

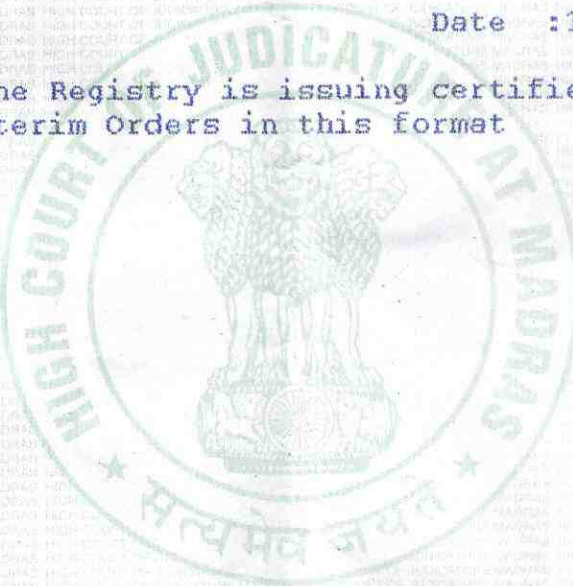
C.C. to MR.S.MEENAKUMARI, CGSC, Advocate Sr.No.5266.


C.C. to MR.P.R.GOPINATHAN, Advocate on payment of necessary charges

Order in
WP No.9581 of 2016
and WMP.NOs.8616 and 8617 of 2016

Date :11/04/2016

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
SM 16/03/2016
SM 11/04/2016



HIGH COURT OF JUDICATURE
MADRAS
 S. R. No. 5285
 Carbon Copy application
 made 11/4 2006
 Application Returned.....200
 Application Represented.....200
 Copy made ready 11/4 2006
 Copy delivered 12/4 2006

 Section Officer
 C.C.C. Section