

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 24.3.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

W.P.No.30576 of 2014

Dr.Ram Subbiah

... Petitioner

versus

1.The Registrar,
Hindustan University,
P.B.No.1, Rajiv Gandhi Salai, (O.M.R)
Padur, Kelambakkam
Chennai 603 103

2.The Director,
Hindustan University,
40, GST Road,
St.Thomas Mount,
Chennai 600 016.

... Respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to return all the original degree certificates of the petitioner without insisting for any compensation.

For petitioner

Mr.N.Moorthi

For respondent

Mr.J.James, for R-1

O R D E R

The petitioner filed this Writ Petition for issuance of a Writ of Mandamus directing the respondents to return all his original degree certificates without insisting payment in any form.

2. Since the first respondent failed to appear before this Court, I have issued a bailable warrant. Pursuant to the said warrant, the first respondent appeared before this Court in person. The first respondent agreed to return the certificates to the petitioner. The certificates were returned thereafter. When the Writ Petition came up for consideration on 23 March 2015, the learned counsel for the petitioner submitted that after returning the

documents, the University issued an order dated 30 December 2014 calling upon the petitioner to pay a sum of Rs.4,31,830/- within 15 days on account of the alleged violation of the conditions stipulated in the deed of undertaking. Since the notice was issued only after the return of documents pursuant to the order of this Court and as learned counsel for the petitioner alleged malafides, I have directed the first respondent to explain as to the circumstances under which such an action was taken after complying with the earlier order issued by this Court.

3. The learned counsel for the respondents on instruction submitted that the University would withdraw the impugned notice dated 30 December 2014. Accordingly, the matter was adjourned to be posted today.

4. When the Writ Petition was taken up for consideration, the learned counsel appearing for the University produced an affidavit of the Registrar, Hindustan Institute of Technology and Science, Kelambakkam, indicating that the University has taken a lenient view in the matter and there would not be any further claim against the petitioner. In short, the Registrar has made it very clear that he is withdrawing the impugned notice dated 30 December 2014. It is therefore now clear that there is no claim against the petitioner. The affidavit of undertaking is taken on record.

5. In view of the subsequent events relating to the return of documents to the petitioner by the University and withdrawal of further proceedings regarding compensation, pursuant to the notice given by the respondents earlier, nothing remains for further adjudication in the matter.

6. The Writ Petition is disposed of as indicated above. No cost.

Sd/-

Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

tar

To

1.The Registrar,
Hindustan University,
P.B.No.1, Rajiv Gandhi Salai,
Padur, Kelambakkam
Chennai 603 103

2.The Director,
Hindustan University,
40, GST Road,
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Chennai 600 016.

1 cc to Mr.J.James, Advocate, sr. 17195
1 cc to Mr.N. Moorthi, Advocate, Sr. 16475

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GP (CO)
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