

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2015

CORAM :

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.11729 of 2015

S.Venu Prasad

...Petitioner

Vs

1.The Principal Secretary/Commissioner of
Technical Education,
Directorate of Technical Education,
Guindy, Chennai.

2.The Management of Erode Kongu College of
Polytechnic, Velava Garden,
Gnanipalayam (Post)
Chennimalai, Erode District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the first respondent to take appropriate action against the 2nd respondent to return the original certificates produced by the petitioner 10th standard original transfer certificate, 10th Standard original mark sheet and community certificate at the time of appointment immediately.

For Petitioner : Mr.N.Chinnaraj

For Respondents: Mr.V.Subbiah

Special Government Pleader

ORDER

By consent, the writ petition is taken up for final disposal.

2. The petitioner claims that he joined Diploma in Electrical and Electronics Engineering in the second respondent college on 18.07.2013 and at the time of admission, he paid application fee, book fee, uniform fee and hostel fee, in all aggregating to a sum of Rs.10,100/- and also given his 10th standard original transfer certificate, mark sheet and community certificate. The petitioner would further state that within two days after joining the college, his father met with an accident and his family has to spend huge amount for the purpose of treating him and therefore on account of the same, he is unable to continue his studies and he sought for return of original testimonials/certificates given at the time of admission and since he has not been favoured with any response, came forward with this writ petition.

3. Heard the learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice for the first respondent.

4. The learned Special Government Pleader has drawn the attention of this Court to the letter dated 08.12.2014 of the first respondent addressed to the second respondent, requesting them to release the original certificates of the petitioner immediately and inform the decision taken. The attention of this Court was also drawn to an order dated 16.02.2015 made in W.P.Nos.3828 to 3830 of 2015, wherein, this Court in similar facts and circumstances has ordered return of the original certificates.

5. This Court taking into consideration the above said facts and circumstances of the case, directs the second respondent to return the original certificates/testimonials collected from the petitioner at the time of admission, subject to the condition that the petitioner shall pay all the amounts that are legally due and payable by him.

The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

svki

To

1.The Principal Secretary/Commissioner of
Technical Education,
Directorate of Technical Education,
Guindy, Chennai.

+ 1 cc to Mr.N. Chinnaraj, Advocate SR.22799

+ 1 cc Government Pleader Sr.22080

JSV(CO)
EU 27.04.2015

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