

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2011

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.23806 of 2011

J.S.Arunkumar

... Petitioner

vs.

1.The State of Tamil Nadu
Rep. by its Secretary
Law Department,
Fort St. George,
Chennai - 600 009.

2.The Registrar,
Dr.Ambedkar Law University,
"Poompozhi"
No:5, P.S.Kumaraswamy Raja Salai,
Chennai - 600 028.

3.The Principal,
Government Law College,
Chengalpattu,
Nggo Nagar,
Chengalpattu - 01.
Kanchipuram District.

... Respondents

PRAYER: Petition is filed under Section 226 of the Constitution praying to direct the 2nd respondent to refund the tuition fee paid by the petitioner during the academic year 2004 to 2006 as per the petitioner's request made in his representation dated 30.09.2011.

For Petitioner : Mr.A.Manikandan

For Respondents: Mr.P.Karthikeyan GA (Edu)

For R1.

Mrs.R.Tamilselvi

For R2.

ORDER

1. The petitioner is a Schedule Caste student, who studied in the 3rd respondent college for the academic year 2004-06 under the Schedule Caste quota. The petitioner paid a sum of Rs.17,125/- towards admission fees.

2. As per G.o.Ms.No.722 of Social Welfare Department dated 13.10.1977, no fee is payable by a student belonging to the Schedule Caste. In view of the said Government Order the petitioner contends that he is entitled for the exemption from payment of tuition fee.

3. The G.o.Ms.No.722 of Social Welfare Department dated 13.10.1977, exempts payment of tuition fee and therefore, the petitioner is entitled to get refund of the tuition fee already paid for the academic year 2004-06 for which the petitioner has already given a representation on 13.10.1977.

4. In a similar circumstance, a Division Bench of this Court by order dated 25.08.2006 in Writ Petition No.7297 of 2006, in M.Lakshmanan and another vs. State of Tamil Nadu and 2 others recorded the statement of the Government Advocate that the University will not collect any fees from SC/ST students and if any fees are collected from any SC/ST students, the same will be refunded to them.

5. In view of that, the respondents are directed to refund the tuition fees paid by the petitioner for the academic year 2004-06 within 12 weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

prm

To

1. The Secretary
State of Tamil Nadu
Law Department,
Fort St. George,
Chennai - 600 009.

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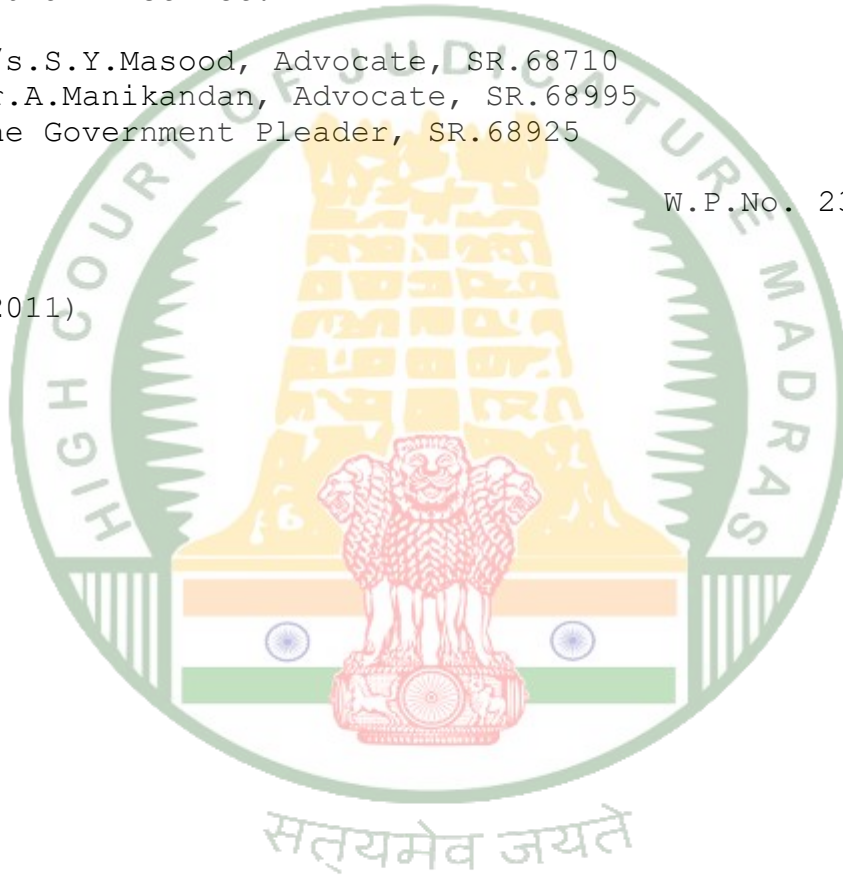
2. The Registrar,
Dr.Ambedkar Law University,
"Poompozhi"
No:5, P.S.Kumaraswamy Raja Salai,
Chennai - 600 028.

3. The Principal,
Government Law College,
Chengalpattu,
Nggo Nagar,
Chengalpattu - 01.
Kanchipuram District.

1 CC to M/s.S.Y.Masood, Advocate, SR.68710
1 CC to Mr.A.Manikandan, Advocate, SR.68995
1 cc To The Government Pleader, SR.68925

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BKY(CO)
SRA(8/12/2011)



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