

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2015

CORAM

THE HONOURABLE Mr. JUSTICE T.S. SIVAGNANAM

W.P.No.3025 of 2015

V.Rejendran

.. Petitioner

Vs

1. The Director of Technical Education,
Guindy, Chennai-600 032.
 2. The Managing Director,
Karpaga Vinayaka College of Engineering &
Technology,
G.S.T.Road, Karpaga Vinayaga Nagar,
Chinnakolampakkam, Palaiyanoor Post,
Madhuranthakam Taluk,
Kanchipuram District-603 308.
- .. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for a writ of Mandamus directing the second respondent college to pay a sum of Rs.25,000/- with interest at the rate of 24% p.a. till the date of realization within a stipulated time.

For Petitioner : M/s.C.Prabakaran

For Respondents: Mr.S.Gunasekaran

Government Advocate for R1

Mr.S.Udayakumar for R2

ORDER

Heard Mr.C.Prabakaran, learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Government Advocate for the first respondent and Mr.S.Udayakumar, learned counsel for the second respondent.

2. The petitioner has filed this writ petition seeking issuance of Mandamus directing the second respondent-College to pay a sum of Rs.25,000/- with interest at the rate of 24% p.a. till the date of realization within a stipulated time.

3. The petitioner would state that the petitioner's son R.Sandeep Kumar is no longer continuing his studies in the second respondent-College and his son attended the college only for a week. Therefore, now the petitioner seeks for refund of fees paid by him, viz., Rs.25,000/-. Since no action has been taken for several representations and lawyer's notice dated 27.11.2012, the petitioner has filed the present writ petition.

4.Learned counsel for the second respondent submitted that it is on his own volition, the petitioner's son did not attend the classes and therefore, the petitioner cannot now say that his son attended the class only for one week and seek for refund of the fees.

5. Considering the fact that the petitioner's son has attended the college only one week class, this Court is of the view that the second respondent should consider the petitioner's case and refund the fees after deducting the administrative expenses.

6. In the light of the above direction, the second respondent is directed to deduct a sum of Rs.5000/- towards administrative expenses and refund a sum of Rs.20,000/- in favour of the petitioner who is the father of the student.

The above direction shall be complied with within a period of three weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Director of Technical Education,
Guindy, Chennai-600 032.
2. The Managing Director,
Karpaga Vinayaka College of Engineering &
Technology,
G.S.T.Road, Karpaga Vinayaga Nagar,
Chinnakolampakkam, Palaiyanoor Post,
Madhuranthakam Taluk,
Kanchipuram District-603 308.

+ 1 cc to Mr.C. Prabakaran, Advocate SR.13530
+ 1 cc to Mr.S.Udayakumar, Advocate SR.13675
+ 1 cc Government Pleader Sr.13615

KJI (CO)

EU 21.03.2015

W.P.No.3025 of 2015