

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.5077 of 2015

A.Ganesh

Minor, Rep. By his father and
Natural Guardian M.AyyamPillai

... Petitioner

Vs.

1. The Registrar,
Council of Architecture,
India Hbitt Centre,
Core 6A, 1st floor,
Lodhi Road,
New Delhi - 110 003.

2. The Registrar,
SRM Institute of Science & Technology,
Admin. Office No.3, Veerasamy Street,
West Mambalam, Chennai - 600 033.

3. The Controller of Examination,
SRM Institute of Science & Technology,
Ramapuram, Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying to issue Writ of mandamus to direct the first respondent to take appropriate action against the second respondent in accordance with law for misleading the petitioner and thereby admitting the petitioner in a B.Arch course in their institution for sake of money and consequently direct the second respondent to refund the fees paid by the petitioner to the second respondent college in the sum of Rs.4 lakhs and also a sum of Rs.10 lakhs towards compensation to the petitioner.

For Petitioner : M/s.R.Chithiraputhiran,
R.Ravi Shankar Rao & P.Gurusamy

For R1 : Mr.N.Muralikumaran

For R2 & R3 : Mrs.B.Saraswathi

O R D E R

The petitioner's son appeared for the National Aptitude Test in Architecture. He approached the second respondent for admission. It is the case of the petitioner that the second respondent, after scrutinizing the records, informed that his son is eligible to be admitted. Accordingly, provisional allotment order was issued after receiving a sum of Rs.2 lakhs and another sum of Rs.2 lakhs was paid subsequently on 12.07.2014.

2. After the completion of the first semester, the petitioner was informed that the first respondent has not registered the name of his son, since he did not get minimum requirement of 80 marks. Alleging that the petitioner's son career was spoiled by the respondents 2 and 3 by playing fraud apart from illegally collecting the money, the petitioner has filed the present writ petition. Pending writ petition, in pursuant to the interim order, the petitioner's son received the original certificates and left the institution.

3. Learned counsel appearing for the petitioner submitted that based on the misrepresentation of the respondents 2 and 3, his son has suffered his career and therefore, appropriate orders will have to be passed including the repayment of the requisite money.

4. Learned counsel for the first respondent submitted that the petitioner's son was not found to be qualified. Counsel for the second respondent submitted that the petitioner's son was found to be qualified.

5. This Court is not willing to go into the issues raised in the present writ petition, as it is for the first respondent to look into the same. Thus, the writ petition stands disposed of giving liberty to the petitioner or his son to give complaint to the first respondent. As and when such complaint is received, the first respondent will have to look into the same and pass appropriate

orders within a period of eight weeks from the date of receipt of a copy of this order, after affording a reasonable opportunity to the petitioner as well as the respondents herein. With this direction, the writ petition stands disposed of. No Costs.

Sd/-
Deputy Registrar(J)

//True Copy//

Sub Assistant Registrar

rkm

To

1. The Registrar,
Council of Architecture,
India Hbitt Centre,
Core 6A, 1st floor,
Lodhi Road,
New Delhi - 110 003.
2. The Registrar,
SRM Institute of Science & Technology,
Admin. Office No.3, Veerasamy Street,
West Mambalam, Chennai - 600 033.
3. The Controller of Examination,
SRM Institute of Science & Technology,
Ramapuram, Chennai.

+1cc to Mr.R.Chithiraputhiran, Advocate, S.R.No.54149
+1cc to Mr.B.Saraswathi, Advocate, S.R.No.54161
+1cc to M/s.Mc Gan Law Firm, Advocate, S.R.No.54453

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RV(CO)
CA(14/10/2015)

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