

In the High Court of Judicature at Madras

Dated: 19.12.2016

Coram

The Honourable Mr.JUSTICE B.RAJENDRAN

W.P.No.29039 of 2016

and

WMP No.25090 of 2016

M/s.Tamizhan College of Engineering and
Technology rep. By its Managing Trustee
Mr.K.Thirukadal Uthayam,
Pon Kasi Uthayam Educational Charitable Trust,
Tamizhan Nagar, Chenbagaraman Puthoor,
Kanyakumari District 629 304. Petitioner

Vs.

- 1.The Regional Officer,
All India Council for Technical Education (AICTE),
Southern Regional Office,
Shashtri Bhavan-26,
Haddows Road, Nungambakkam,
Chennai 600 006.
- 2.The Commissioner of Technical Education,
Directorate of Technical Education,
Guindy, Chennai-25. Respondents

Prayer :Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus to direct the respondents to forthwith consider returning of the matured FDR Receipt No.30400471960 dated 10.06.2008 by issuing No Objection Certificate to release the same taking into account the representation dated 11.08.2016 without reference to the first respondent's proceedings made in F.No.36-44/2016-2017/270, dated 05.05.2016 in view of its compliance as the alleged objections no longer survive for retaining the same.

For Petitioner : Mr.L.Chandrakumar

For Respondent : Mrs.AL.Gandhimathi

ORDER

The writ petition is filed for issuance of a writ of mandamus to direct the respondents to forthwith consider returning of the matured FDR Receipt No.30400471960 dated 10.06.2008 by issuing No Objection Certificate to release the same taking into account the representation dated 11.08.2016 without reference to the first respondent's proceedings made in F.No.36-44/2016-2017/270, dated 05.05.2016 in view of its compliance as the alleged objections no longer survive for retaining the same.

2.The case of the petitioner is that the petitioner made a representation dated 05.04.2016 to the first respondent seeking issuance of No Objection Certificate for release of the matured fixed deposit to which the first respondent replied that the same is kept under abeyance due to pending Employees Provident Fund dues complaint and court case in WP No.33916 of 2012. The petitioner replied to the above clarification by representation dated 11.08.2016. Though the petitioner has clarified and replied to the objection of the first respondent, the first respondent has not issued NOC for return and release of the matured FD, the petitioner has filed this writ petition.

3.Today when the matter was taken up, the learned counsel for the respondents stated that if the petitioner gives reply to the objection and produce necessary documents, the respondents will scrutinize the documents and dispose of the representation of the petitioner for the grant of return of the matured FDR within a period of two weeks.

4.Heard the learned counsel for the petitioner and the learned counsel for the respondents.

5.Considering the above facts and circumstances of the case, this court directs the petitioner to give reply to the objection along with necessary documents to the respondents. On such receipt of the documents, the respondent concerned is directed to dispose of the representation of the petitioner for the grant of the matured FDR Receipt No.30400471960 dated 10.06.2008, after scrutinizing the documents along with reply made by the petitioner within a period of two weeks from the date of receipt of a copy of this order. With the above direction, the writ petition is disposed of. No costs. The connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Regional Officer,
All India Council for Technical Education (AICTE),
Southern Regional Office,
Shashtri Bhavan-26,
Haddows Road, Nungambakkam,
Chennai 600 006.

2.The Commissioner of Technical Education,
Directorate of Technical Education,
Guindy, Chennai-25.

+ 1 cc to Mr.L.Chandrakumar, Advocate Sr 73942

+ 1 cc to Mrs.AL.Gandhimathi, Advocate Sr 74097

KR/20/12

W.P.No.29039/16



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