

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 01/06/2017
CORAM
THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
W.P.No.12080 of 2017

Annai College of Polytechnic,
Rep by its Chairman, M.Anvar Kabir,
S/o. Mohamed Ibrahim,
Kovilacheri,
Kumbakonam,
Thanjavur District. ... Petitioner

-Vs-

1. The Principal Secretary,
Adi Dravidar and Tribal Welfare Department,
Government of Tamil Nadu,
Fort St. George, Chennai 600 009.
2. The Secretary to Government,
Department of Higher Education,
Government of Tamil Nadu,
Fort St. George,
Chennai- 600 009.
3. The Commissioner of Technical Education
Directorate of Technical Education,
Government of Tamil Nadu,
Guindy, Chennai.
4. The Commissioner,
Adi Dravidar and Tribal Welfare Department,
Chepauk, Chennai-5.
5. The Fee Fixation Committee for Polytechnic Colleges,
Rep by its Chairman Justtice N.V.Balasubramanian,
No.40, Sankarapuram,
Mylapore, Chennai-4. ... Respondents

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Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st and 4th respondents to dispose of the petitioner representation dated 17.04.2017 thereby re-imburse the fees of Rs.21,700/- instead of Rs.6,500/- Per student/Per year in respect of all SC/ST students admitted in the academic years 2012-2013, 2013-2014, 2014-2015 since there is no free seat in polytechnic colleges as there is no government counseling done and students are not admitted under single window counseling, by taking into consideration the

fee committee order dated 17.08.2015 and G.O.Ms.No.21, Higher Education Department, dated 13.02.2003 and also in light of order passed by this Court in W.P.No.21572 of 2014 dated 28.01.2015.

For Petitioner : Mr.E.Vijay Anand
For Respondents : Mr.V.Anandhamurthy
Additional Government Pleader
(Education)

O R D E R

This Writ Petition has been filed seeking for a direction to the respondents 1 and 4, to dispose of the petitioner representation dated 17.04.2017, thereby re-imburse the fees of Rs.21,700/- instead of Rs.6,500/- Per student/Per year in respect of all SC/ST students admitted in the academic years 2012-2013, 2013-2014, 2014-2015 since there is no free seat in polytechnic colleges as there is no government counseling done and students are not admitted under single window counseling, by taking into consideration the fee committee order dated 17.08.2015 and G.O.Ms.No.21, Higher Education Department, dated 13.02.2003 and also in light of the order passed by this Court in W.P.No.21572 of 2014 dated 28.01.2015.

2. The case of the petitioner is that the Government by way of G.O.Ms.No.92, Adi Dravidar and Tribal Welfare Department dated 11.09.2012 had started re-imbursing the fee payable by SC/ST students. For the academic years 2012-2013, 2013-2014, 2014-2015, the Government had re-imbursed fee of Rs.21,700/- per year/per student in so far as payments seats are concerned and Rs.6,500/- for free seats. Since there are no free seats in Polytechnic College, as there is no Government counseling done and students are not admitted under single window counseling, the remission of Rs.6500/- was done by mistake. Hence, the petitioner made a detailed representation to the respondents 1 and 4 on 17.04.2017, praying for re-imbursement of fee of Rs.21,700/- per year/per student which is an admitted amount as fixed by the fee committee by its order dated 17.08.2015 for all the SC/ST students admitted in the academic years 2012-2013, 2013-2014, 2014-2015, since there is no free seats in polytechnic colleges as there is no government counseling done and students are not admitted under single window counseling. But, till date no action has been taken by the respondents 1 and 4. Hence, the petitioner approaches this Court seeking for the aforesaid relief.

3. Heard the learned counsel for the petitioner as well as the learned Additional Government Pleader appearing for the respondents.

4. The learned counsel appearing for the petitioner would submit that the representation of the petitioner dated 17.04.2017, may be directed to be disposed of by the respondents 1 and 4, within a stipulated period.

5. The learned Additional Government Pleader appearing for the respondents has no objection for such an order, being passed by this Court.

6. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel appearing on either side without going into the merits of the case, this Court directs the respondents 1 and 4 to consider and dispose of the representation of the petitioner, dated 17.04.2017 and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

7. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary,
Adi Dravidar and Tribal Welfare Department,
Government of Tamil Nadu,
Fort St. George, Chennai 600 009.

2. The Secretary to Government,
Department of Higher Education,
Government of Tamil Nadu,
Fort St. George,
Chennai- 600 009.

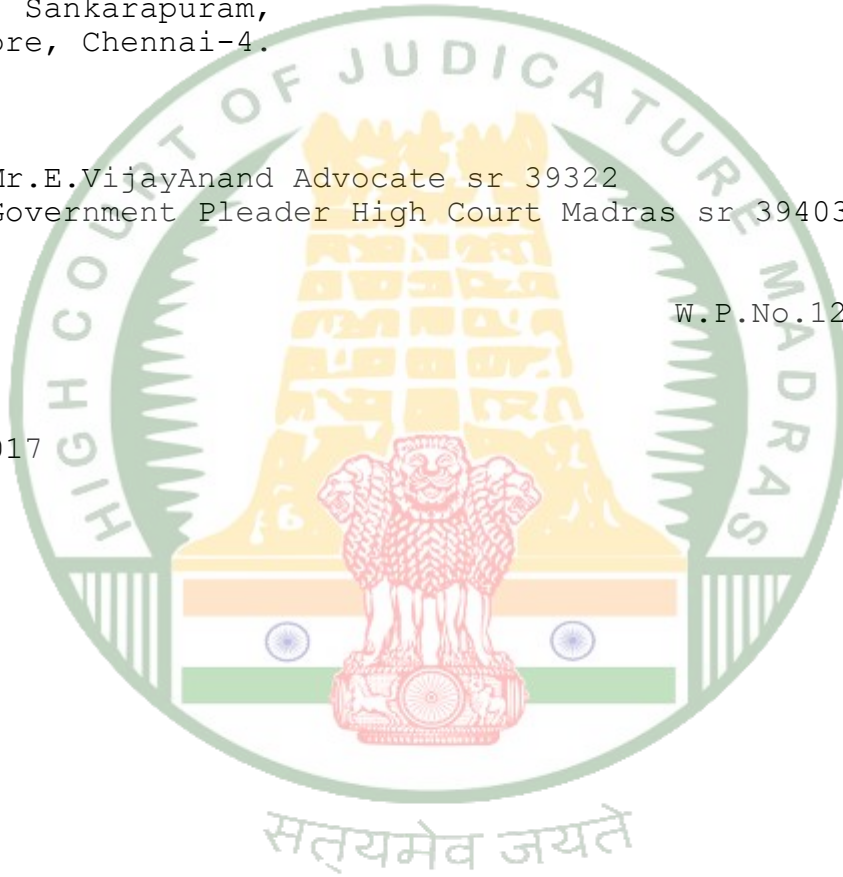
3. The Commissioner of Technical Education
Directorate of Technical Education,
Government of Tamil Nadu,
Guindy, Chennai.
4. The Commissioner,
Adi Dravidar and Tribal Welfare Department,
Chepauk, Chennai-5.
5. The Fee Fixation Committee for Polytechnic Colleges,
Rep by its Chairman Justrict N.V.Balasubramanian,
No.40, Sankarapuram,
Mylapore, Chennai-4.

+1 cc to Mr.E.VijayAnand Advocate sr 39322

+1 cc to Government Pleader High Court Madras sr 39403

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