

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12-06-2017

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THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.14758 of 2016
and
W.M.P.No.12891 of 2016

S.Saiuf ... Petitioner

-Vs-

1. Ministry of Human Resource Development,
127-C, Shastri Bhawan,
New Delhi.
2. The All India Council for Technical Education,
Southern Regional Office,
'Shastri Bhavan', 26, Haddows Road,
Nungambakkam,
Chennai - 600 006.
3. The Chairman
University Grants Commission
Represented by its Secretary,
Bahadur Shah Zafer Marg,
New Delhi - 110 002.
4. The Controller of Examination,
Anna University,
Guindy,
Chennai - 600 025.
5. The Principal
Dhaanish Ahmed College of Engineering
Dhaanish Nagar,
Padappai,
Chennai - 601 301. ... Respondents

Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus or order or direction directing the respondents 1 to 4 to take action as against the 5th respondent based on the complaint dated 14.12.2015 and 23.1.2016 submitted by the petitioner.

For Petitioner	:	Mr.A. Thiagarajan
For Respondent 1	:	Mr.N.Vijaya Baskar, CGSC
For Respondent 2	:	Mr.A.L.Ganthimathi

For Respondent 3 : Mr.P.R.Gopinathan
For Respondent 4 : Mr.M.Vijayakumar
For Respondent 5 : Mr.V.Raghavachari

O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondents 1 to 4 to take action against the fifth respondent based on the complaints dated 14.12.2015 and 23.01.2016 submitted by the petitioner.

2. The case of the petitioner is that he belongs to minority community and backward caste. He joined the fifth respondent-College in B.E. (Computer Science) in the year 2014. At the time of admission, the fifth respondent insisted the petitioner to pay a sum of Rs.5,00,000/- towards donation and Rs.1,04,000/- towards tuition fee and other fees. The fifth respondent issued a receipt on 19.05.2014 for the sum of Rs.1,04,000/-. Apart from that, he has paid more than Rs.2,00,000/- towards conveyance, computer fees, laboratory fees and other fees to the fifth respondent for the past two years. During the month of October 2015, there was problem between the 4th year and 2nd year students of the College and the same was complained to the Chairman by the petitioner. But it seems that the senior students of the said College are relatives to the Chairman and therefore, he got annoyed over the above complaint. Immediately, the fifth respondent was directed to issue the Transfer Certificate to the petitioner. Though the petitioner got good marks in both the semesters and he is ready to continue in the College, the fifth respondent compelled the petitioner to get the Transfer Certificate and directed him to join in some other college. Since the petitioner was sent out of the College during the month of August 2015, he was not be able to get admission in any other College and he would be wasting one year due to such act. But, the fifth respondent has not considered the same. Therefore, the petitioner requested the fifth respondent to pay the entire donation of Rs.5,00,000/- and the fees of Rs.1,54,000/- paid by him. The fifth respondent promised that he will pay the entire amount and directed the petitioner to get the Transfer Certificate. But the same was not done so. Hence, the petitioner's father gave a complaint before the Inspector of Police, K-4, Anna Nagar Police Station on 07.10.2015. However, the said complaint was not taken for investigation and no FIR was registered. Again, the petitioner gave a complaint to the respondents 1 to 4 on 14.12.2015 requesting them to take action against the fifth respondent followed by a reminder on 23.01.2016. Since there was no response forthcoming, the present Writ Petition is filed for the above relief.

3. Heard the learned Counsel for the petitioner and the learned counsel appearing for the respondents.

4. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel appearing on either side, this Court, without going into merits of the case, directs the second respondent to consider and dispose of the complaints given by the petitioner on 14.12.2015 and 23.01.2016, within a period of six weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of accordingly. No Costs. Consequently connected Miscellaneous petition is closed.

-s/d-
Deputy Registrar

True Copy

Sub-Assistant Registrar

To

1. The Ministry of Human Resource Development,
127-C, Shastri Bhawan,
New Delhi.
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5. The Principal
Dhaanish Ahmed College of Engineering
Dhaanish Nagar,
Padappai,
Chennai - 601 301.

+1 CC to M/s. N. Vijayabaskar, Advocate sr 41522
+1 CC to M/s. A.L. Gandhimathi, Advocate sr 41227
+1 CC to M/s. M. Vijayakumar, Advocate sr 41501
+1 CC to M/s. V. Raghavachari, Advocate sr 41342

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