

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.34202 of 2013

S.Sakthivel

..Petitioner

Vs.

- 1.The Chancellor
S.R.M.University
Corporate Office,
No.3, Veerasamy Street,
West Mambalam, Chennai-600 033.
- 2.The Registrar
SRM University
SRM Nagar,
Kattankulathur - 603 203,
Kancheepuram District.
- 3.The Secretary Higher Education
M.H.R.D.,
Shastri Bhavan,
New Delhi - 110 001.
- 4.The Chairman
University Grants Commission
New Delhi.
- 5.The Director (E & T)
SRM University
SRM Nagar, Kattankulathur - 603 203,
Kancheepuram District.

..Respondents

Prayer :

Writ petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records on the file of the 2nd respondent in his letter No.SRMU/R/DR/Refund Fees/2012-2013-991 dated 20.03.2013 quash the same and further directing the respondents University to consider and pass orders on the representation made by the petitioner dated 04.03.2013 with regard to refund of remaining tuition fees of Rs.50,000/-.

For Petitioner: Mr.S.Rajasekar
For Respondents: Ms.B.Saraswathi,
standing counsel, for R1 & R2
Mr.T.V.Krishnamachari
standing counsel, for R3
Mr.P.R.Gopinath
standing counsel, for R4
R5 - No appearance

O R D E R

The petitioner is aggrieved by the order passed by the second respondent dated 20.03.2013, wherein and whereby the request for refund of Rs.50,000/- was rejected, apart from stating that his further request for providing scholarship also not considered, as he has not applied for the scholarship to the University scholarship committee.

2. Heard both sides.

3. It seems that the petitioner who is visually impaired person, joined the respondent University for doing M.Tech course during the academic year 2012-2013. There is no dispute to the fact that the petitioner joined the said course on 12.09.2012, by which time, the last date for applying for the scholarship was also over by 31.08.2012. Assuming that the delay can be condoned for considering the petitioner's request for providing scholarship, still the fact remains, that the petitioner has not continued the course immediately after completion of the first semester. Therefore, the request of the petitioner for providing scholarship does not arise, as he has left the college once for all after the completion of first semester. Insofar as the request for refund of the tuition fee paid towards the first year is concerned, it is an admitted fact that the petitioner was given refund of Rs.50,000/- and only the balance amount of Rs.50,000/- was refused to be refunded on the reason that the petitioner has attended the full first semester and left the college. Therefore, he is not entitled to refund the amount paid towards the first semester. Hence, I find that the respondent University is justified in refusing the request of the petitioner on both counts. Accordingly, I find no merits in this writ petition and thus the same is dismissed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mk

To

- 1.The Secretary Higher Education
M.H.R.D., Shastri Bhavan,
New Delhi - 110 001.
- 2.The Chairman
University Grants Commission
New Delhi.

+ 1 cc to M/s. Hemalatha, Advocate SR.59252
+ 1 c to Mr.Krishnanmachari, Advocate Sr.58981
+ 1 cc to M/s. Saraswathi, Advocate sr.58958

W.P. No.34202 of 2013

MG (CO)
EU 1/09/17



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