



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.10.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P (MD) No.16639 of 2017

WEB COPY

T.S.Abinesh

.. Petitioner

Vs.

1.The Director/Secretary,
Higher Education Department,
Fort St. George, Chennai - 600 009.

2.The Director,
Directorate of Technical Education (DOTE),
Sardhar Patel Road, Chennai - 600 025.

3.The Registrar,
Anna University, Guindy,
Chennai - 600 025.

4.The Principal,
PSN Engineering College,
Melathediyoore, Palayamkottai,
Tirunelveli - 627 152.

5.The Principal,
Ponjesly College of Engineering,
Parvathipuram, Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 3 to effect the transfer of the petitioner from the fourth respondent college to the fifth respondent college by admitting him for the Academic Year 2017-2018 (3rd Year B.E. Mechanical Engineering) based on the petitioner's applications dated 17.06.2017 and 21.06.2017 within the period stipulated by this Court.

For Petitioner : Mr.Ananth C.Rajesh

For Respondents 1 and 2 : Mr.J.Gunaseelan Muthaiah,
Government Advocate.

For Respondent No.3 : Mr.M.Rajarajan

For Respondent No.4 : Mr.T.Pon Ramkumar

For Respondent No.5 : No appearance

ORDER

This writ petition is filed seeking a writ of mandamus to direct the respondents 1 to 3 to effect the transfer of the petitioner from the fourth respondent college to the fifth respondent college by admitting him for the Academic Year 2017-2018 (Third year B.E. Mechanical Engineering) based on the petitioner's applications dated 17.06.2017 and 21.06.2017, within the time stipulated by this Court.

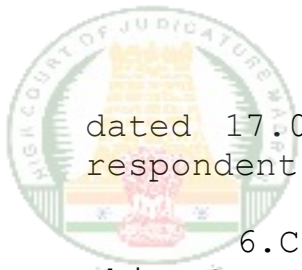
2. Heard the learned counsel appearing for the petitioner, learned Government Advocate appearing for the respondents 1 and 2, learned counsel appearing for the third respondent and the learned counsel appearing for the fourth respondent. Despite notice being served on the fifth respondent and the name being printed on the cause list, there is no representation on behalf of the fifth respondent either in person or through counsel.

3. The case of the petitioner is that he joined B.E. Mechanical Engineering Course in the fourth respondent College under the Government Quota of first generation graduates in the Academic Year 2015-2016 and he paid all the fees prescribed by the third respondent University. According to the petitioner, since the fourth respondent was unable to collect the subsidy from the Government for the petitioner, the fourth respondent insisted him to pay the same and the parents of the petitioner, due to poverty, have not paid the same. Therefore, the fourth respondent institution has not allowed him to write the fourth semester examination as well as arrears examination. According to the petitioner, on the application, seeking to transfer him from the fourth respondent college to fifth respondent college, made by him to the respondents 1 to 3, he was allowed to join in the fifth respondent College from 13.06.2017. But, the fourth respondent has not sent all his certificates and documents to the fifth respondent college. Therefore, he made representations dated 17.06.2017 and 21.06.2017, seeking to accommodate him in the fifth respondent college under the quota of first generation graduates. Since the same has not been considered so far, the petitioner is before this Court.

4. The petitioner made representations dated 17.06.2017 and 21.06.2017, to the respondents 1 to 3 seeking to approve and transfer from the fourth respondent college to the fifth respondent college for the Academic year 2017-2018 [Third Year B.E. Mechanical Engineering].

<https://hcservices.ecourts.gov.in/hcservices/>

5. The learned counsel for the petitioner would submit that it would be suffice, if the representations of the petitioner



dated 17.06.2017 and 21.06.2017, are disposed of by the second respondent as per law.

6. Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the second respondent to consider the representations of the petitioner dated 17.06.2017 and 21.06.2017 and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar (CSII)

/True Copy/

Sub-Assistant Registrar

To

1. The Director/Secretary,
Higher Education Department,
Fort St. George, Chennai - 600 009.
2. The Director,
Directorate of Technical Education (DOTE),
Sardhar Patel Road, Chennai - 600 025.
3. The Registrar,
Anna University, Guindy,
Chennai - 600 025.

+One cc to M/s.T.Pon Ramkumar, Advocate, SR.No.82758
+One cc to The Special Government Pleader, SR.No.82954
+One cc to M/s.M.Rajaraman, Advocate, SR.No.83103
+One cc to M/s.Ananth C.Rajesh, Advocate, SR.No.82845

smn

RL/8C/3P/GT/SAR2/31/10/2017

ORDER MADE IN
W.P (MD) No.16639 of 2017