

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2018

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.No.15344 of 2016
and W.M.P.Nos.13376 and 13377 of 2018

Sri Nandhanam Polytechnic College,
Molagarampatti,
Tirupattur-635 601
Vellore District
rep. by its Dean for Academic Administration
and Students Affairs,
C.Pragash,
S/o.C.Chandran .. Petitioner

Vs.

1. The Director,
Directorate of Technical Education,
Guindy, Chennai-600 025.
2. The Director of Adi Dravidar Welfare,
Chepauk, Chennai-600 005.
3. The District Adi Dravidar & Tribal Welfare Officer,
Collectorate Buildings,
Sathuvacheri,
Vellore-9. .. Respondents

* * *

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned proceedings issued by the first respondent in Letter No.03232/I-3/2016 dated 24.02.2016 and to quash the same and consequently direct the respondents to release the differential amount of tuition fee under Post Metric Scholarship Scheme for SC/ST students admitted in the petitioner college under Management Quota for the academic year 2012-13, 2013-14 and 2014-15 based on the fact that there was no Government Quota students sponsored by the respondents, along with interest for the delayed payment within a time frame to be fixed by this Court.

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For Petitioner : Mr.G.Sankaran
For Respondents : Mr.V.Annalakshmi
Government Advocate

O R D E R

This writ petition is filed praying to issue a Writ of Certiorarified Mandamus quashing the proceedings of the first respondent dated 24.02.2016 and consequently to direct the respondents to release the differential amount of tuition fee under Post Metric Scholarship Scheme for SC/ST students admitted under the management quota for the academic years 2012-13, 2013-14 and 2014-15.

2. It is not in dispute that the Government issued orders in G.O.Ms.No.92, AD and TW Department, dated 11.09.2012 prescribing guidelines for implementation of the said Government Order. By virtue of the said Government Order, it is directed that from the students belonging to SC/ST community admitted under the management quota in self-finance colleges, no fees shall be collected by the said college and reimbursement of tuition fee is given by the Government. Therefore, for the students, who belong to SC/ST community admitted in the self-finance college under the management quota alone, the petitioner institution should be given reimbursement as per the Government Order.

3. The case of the petitioner is that the Government has not filled up any students under the government quota and therefore, all the candidates were admitted only under the management quota by the petitioner institution. However, since 50% were reserved for government quota, the Government ought to have reimbursed the petitioner institution by paying the differential amount, for which, the petitioner institution is entitled to in respect of the students belonging to SC/ST and got admitted under the government quota.

4. It is stated by the petitioner that for the Academic years 2012-13, 2013-14 and 2014-15, 100% of the students were admitted by the colleges. However, it is the case of the respondents that the petitioner institution itself has submitted B Forms admitting that they have admitted 50% of the students under government quota and 50% under the management quota. Since the claim is based on the presumption that the petitioner institution has admitted all the students under the management quota, it is contended by the respondents that the tuition fees cannot be reimbursed to the petitioner.

5. Admittedly, the petitioner institution is entitled to collect a sum of Rs.21,700/- for the 50% of the students admitted under the management quota and the petitioner is entitled to reimbursement in case of SC/ST students admitted under the said quota. The fee prescribed for the students admitted in government quota is only Rs.6,500/-. It is also not in dispute that the petitioner has received a sum of Rs.6,500/- by way of reimbursement in terms of B Form submitted by it for every year. In the said circumstances, this Court is unable to any merit in the contentions of the petitioner.

6. In the result, this writ petition fails and the same is dismissed as devoid of any merits. Consequently, connected miscellaneous petitions are closed. However there shall be no order as to costs.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

gg Sub Assistant Registrar

To

1. The Director,
Directorate of Technical Education,
Guindy, Chennai-600 025.
2. The Director of Adi Dravidar Welfare,
Chepauk, Chennai-600 005.
3. The District Adi Dravidar & Tribal Welfare Officer,
Collectorate Buildings,
Sathuvacheri,
Vellore-9.

+1 cc to M/s.G.Sankaran, Advocate, SR No.70904

+1 cc to the Government Pleader, SR No.71510

W.P.No.15344 of 2016

rgn(co)
ssm(27/12/18)