

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.8659 of 2018

Jibin Roby

... Petitioner

Vs.

1. The Commissioner,
Directorate of Technical Education (FAC),
Directorate of Technical Education,
Guindy, Chennai-600 025.
2. The Registrar,
Anna University,
Chennai-600 025.
3. The Principal,
Voice of God Polytechnic College,
Devarayapuram,
Namakkal District-637 021.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the third respondent to hand over all the original certificates, namely Secondary School Certificate, Higher Secondary School Certificate and Transfer Certificate, Emigration Certificate and all other original certificates vested with the third respondent which was handed over by the petitioner at the time of admission by considering the petitioner's representation, dated 31.01.2018.

For petitioner : Mr.A.Saravanan

For respondents : Mrs.V.Annalakshmi, Govt. Advocate for R-1

Mr.M.Vijayakumar for R-2

No appearance for R-3

ORDER

The petitioner has come forward with the above Writ Petition praying for issuance of a Writ of Mandamus to direct the third respondent to hand over all the original certificates, namely Secondary School Certificate, Higher Secondary School Certificate and Transfer Certificate, Emigration Certificate and all other original certificates vested with the third respondent

which was handed over by the petitioner at the time of admission by considering the petitioner's representation, dated 31.01.2018.

2. There is no representation for the third respondent-Voice of God Polytechnic College, Devarayapuram, Namakkal District, inspite of notice having been served on them.

3. The case of the petitioner is that all the original certificates mentioned in the prayer of the Writ Petition, may be handed over to the petitioner. Mr.M.Vijaya Kumar, learned Standing Counsel appearing for the second respondent-Anna University submitted that already, an intimation had been sent by the Registrar of the second respondent-University to the Commissioner of Directorate of Technical Education, Chennai, to take necessary action regarding the representation dated 26.12.2017 sent by the student to the third respondent, with a copy marked to the Commissioner of the Directorate of Technical Education and also to the second respondent-University and it is for the College authorities to take necessary action with regard to the return of original certificates and that the College cannot retain any other originals, unless there is prohibitory order. The learned Government Advocate appearing for the first respondent-Commissioner, Directorate of Technical Education submitted that pursuant to the said intimation given by the University, a communication has been sent to the College, with a copy marked to the petitioner, that the student has discontinued the course and that a direction has also been given therein by the first respondent-Commissioner of Directorate of Technical Education, for release of the original certificates to the candidate and to report the action taken in that regard to the first respondent-Commissioner.

4. It is the grievance of the petitioner that as on date, the required Certificates in original, as prayed for in this Writ Petition, has not been returned to him.

5. Taking note of the above facts and circumstances, and that even though there is no representation for the third respondent-College inspite of notice having been served on them, this Court directs the third respondent-College to return the original certificates as prayed for in this Writ Petition, within one week from the date of receipt of a copy of this order or production of a copy of this order by the petitioner, whichever is earlier.

6. With the above observations, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

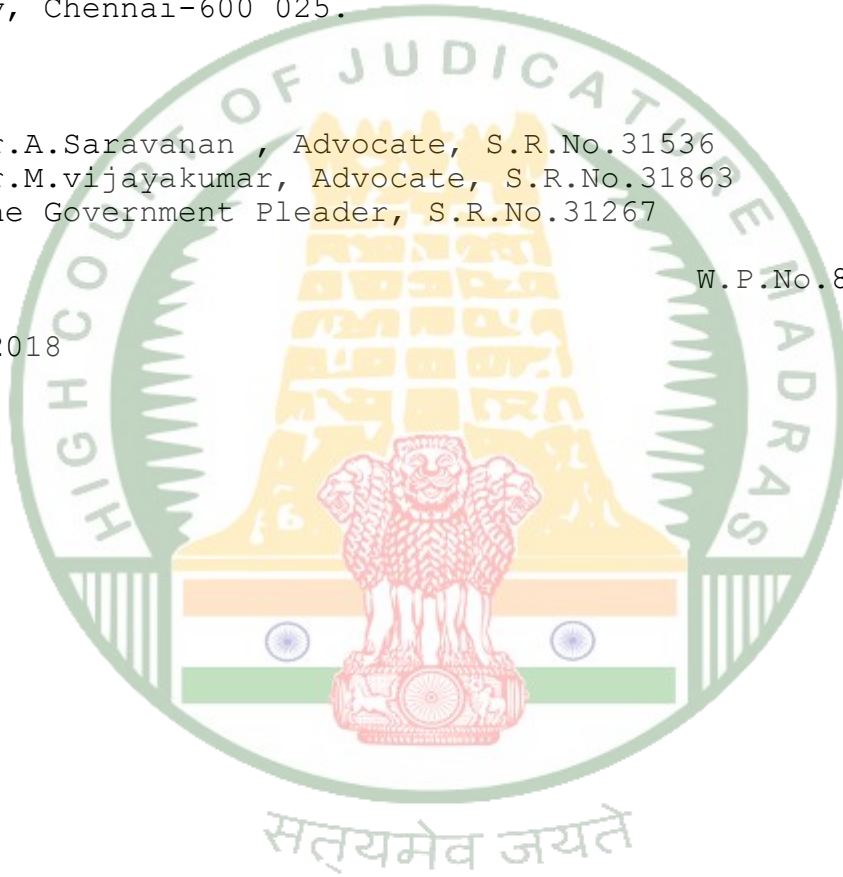
To

1. The Commissioner,
Directorate of Technical Education (FAC),
Directorate of Technical Education,
Guindy, Chennai-600 025.
2. The Registrar, Anna University,
Chennai-600 025.
3. The Director of Technical Education,
Guindy, Chennai-600 025.

+1cc to Mr.A.Saravanan , Advocate, S.R.No.31536
+1cc to Mr.M.vijayakumar, Advocate, S.R.No.31863
+1cc to the Government Pleader, S.R.No.31267

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nr 11/05/2018



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