

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2018

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HON'BLE MR.JUSTICE P.VELMURUGAN

W.A.Nos.931 and 932 of 2017
and
CMP.Nos. 12946 to 12949 of 2017

1. The Commissioner,
Directorate of Technical Education,
Guindy, Chennai-600 025.
 2. The Director of Adi Dravidar Welfare,
Chepauk, Chennai-5.
 3. The District Adi Dravidar and Tribal Welfare
Officer,
Collectorate Building,
Sathuvacheri, Vellore-9.
- Appellants in both
Appeals/Respondents in both
W.P.6724 & 6725/17
- Vs

1. Sri Nandhanam Polytechnic
College of Engineering and
Technology,
Molagarampatti,
Tirupattur-635 601
Vellore District Represented
by its Administrative
Officer, Mr.P.Haridoss ..Respondent in WA.931/17/
Petitioner in WP.6724/17
- 2.Sri Nandhanam Polytechnic
College Molagarampatti
Tirupattur - 635 601
Vellore District Rep.by its
Administrative Officer P.Haridass ..Respondent in WA.932/17/
Petitioner in WP.6725/17

Prayer:- Writ Appeal filed under Clause 15 of Letter Patent Act, to set aside the orders dated 04.04.2017 made in W.P.Nos.6724 of 2017 and 6725 of 2017.

W.P.No.6224 of 2017: Writ petition filed under Article 226 of the constitution of India seeking to issue a writ of Mandamus directing the 2nd and 3rd respondents to disburse the tuition fee for SC/ST/SCC/SCA students admitted in the petitioner

College for the year 2012-2013 under Post Metric Scholarship Scheme in furtherance to implementation of the orders passed by the 1st respondent in Letter No.01124/J2/2016 dated 22/02/2016 within a time frame along with a time frame along with interest at the rate of 18% per annum for the belated payment.

Prayer in W.P.No.6725 of 2017: Writ petition filed under Article 226 of the constitution of India seeking to issue a writ of Mandamus directing the 2nd and 3rd respondents to disburse the tuition fee for SC/ST/SCC/SCA students admitted in the petitioner College for the year 2012-2013 under Post Metric Scholarship Scheme in furtherance to implementation of the orders passed by the 1st respondent in Letter No.05606/I-3/2016 dated 22/02/2016 within a time frame along with a time frame along with interest at the rate of 18% per annum for the belated payment;

For Appellant : Mr.K.Karthikeyan
(in both W.A's) Government Advocate

For Respondent : Mr.G.Sankaran

J U D G M E N T

(Judgment of the Court was delivered by K.K.SASIDHARAN, J.)

The learned single Judge directed the appellants to reimburse the tuition fees to the respondent under the Post Metric Scholarship Scheme for the period 2012-2013, within a period of two weeks. The said order is under challenge at the instance of the State, primarily on the ground that the claim has already been rejected on 27 March 2017.

2. The learned counsel for the respondent submitted that no such order was served on the respondent and that was the reason for filing the Writ Petitions.

3. The order produced by the appellants would indicate that the Director of Adi Dravidar Welfare rejected the claim made by the respondent by order dated 27 March 2017.

4. Since, the Director of Adi Dravidar Welfare has already rejected the claim made by the respondent, there is no question of issuing a Mandamus for payment of tuition fees. When the attention was cited to this factor, the learned counsel fairly submitted that he would withdraw the Writ Petitions with liberty to challenge the order dated 27 March 2017.

5. We therefore grant liberty to the respondent to withdraw the Writ Petitions in W.P.Nos. 6724 and 6725 of 2015, with liberty to challenge the order dated 27 March 2017. Since, the Writ Petitions have been withdrawn by the

respondent, there is no need for the adjudication of the issue raised in these intra Court appeals.

6. These intra court appeals are disposed of as indicated above. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner
Directrate of Technical Education,
Guindy, Chennai.
 2. The Director of Adi Dravidar Welfare,
Chepauk, Chennai-5
 3. The District Adi Dravidar and
Tribal Welfare Officer, Clooetorate Buildings.
- + 1 cc to M/s. G. Sankaran, Advocate SR.16864
+ 1 cc to MR. Government Pleader Sr.17108

W.A.Nos.931 and 932 of 2017

AK(CO)
EU(05/04/2018)

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