

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.02.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.PARTHIBAN

W.P.No.5643 of 2012

S.Meena

... Petitioner

Vs

1.The Controller of Examination
Allagappa University,
Karaikudi-630 003.

2.The Chief Post Master General,
Tamil Nadu Circle,
O/o. The Chief Post Master General,
Tamil Circle,
Anna Salai,
Chennai-600 002.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing both the respondents jointly and severally to pay a compensation of a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to the petitioner for the loss occurred at the instance of both the Respondents and pass such further or other orders as this Court may deem fit and proper to the circumstances of the case.

For Petitioner : Mr.S.T.Varadarajulu

For Respondents : M/s.D.Geetha & K.A.Dhanasekaran for R1
Mr.A.Kumaraguru, CGSPC for R2

O R D E R

The petitioner has approached this Court seeking the following relief:-

"To issue a Writ of Mandamus, directing both the respondents jointly and severally to pay a compensation of a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to the petitioner for the loss occurred at the instance of both the Respondents and pass such further or other orders as this Court may deem fit and proper to the circumstances of the case."

2. According to the respondents, the educational certificate, which was delivered to the petitioner had been wrongly delivered by the second respondent to a different person, who also bears the same name as that of the petitioner. According to the petitioner, due to her previous enmity between the said person and the petitioner, the certificate issued by the first respondent was not handed over to the petitioner by the said person who wrongly received the certificate.

3. In the mean while, the petitioner having come to know about the delivery of the certificate to the wrong person, approached the authorities concerned for issuance of duplicate certificate and mark sheet and by the direction of this Court, the duplicate certificate has also been issued to the petitioner.

4. Not satisfied with the action taken by the respondents, the petitioner has come up with the writ petition seeking payment of compensation of Rs.10,00,000/- as against both the respondents.

5. In view of the facts as stated above, this Court is unable to see on what basis such huge amount was claimed against both the respondents herein. This petitioner seems to have some issues with the person who wrongly received the certificate by the Postal Department and such a private dispute cannot be a ground to seek compensation, that too, huge amount of Rs.10,00,000/- from the respondents herein.

6. This Court does not see any kind of justification for claiming compensation from the respondents particularly, in view of the fact that the mark sheet and the duplicate certificate have been issued to the petitioner during the pendency of the writ petition. In the said circumstances, this Court does not find any merit and substance in the writ petition and therefore, the same is dismissed. No costs.

सत्यमेव जयते

Sd/-

Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

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To

1.The Controller of Examination
Allagappa University,
Karaikudi-630 003.

2.The Chief Post Master General,
Tamil Nadu Circle,
O/o. The Chief Post Master General,
Tamil Circle,
Anna Salai,
Chennai-600 002.

+ 1 cc to Mr.A.Kumaraguru Advocate,SR.12758

+ 1 cc to M/s.D.Geetha Advocate,SR.13408

+ 1 cc to Mr.S.T.Varadarajulu Advocate,SR.12954

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nr 26/03/2018



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