

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION NO.16199 OF 2008

ORDER:

Heard the learned counsel for the petitioner.

2. The prayer sought in the Writ Petition is as under:

“... to issue an order, direction or a W.P. more particularly in the nature of Writ of Mandamus by declaring the action of the respondent No.1 and 2 in refusal to refund the admission fee of Rs.16000/- and to return all the original certificates collected from the petitioner at the time of admission into M.Ch course on 1.2.2004, vide order RC.No.1/1/2004/ACAD-1/27088, dt.19.1.2008, as arbitrary, illegal, unjustified, malice in law being violation of Article 14 and 21 of the Constitution of India and consequently to direct the R-1 to return the admission fee of Rs.16,000/- and all the original certificates in respect of MBBS, PG degree and study certificate etc., forthwith to the petitioner.”

3. This Court, after hearing the learned counsel for the petitioner, on 25.7.2008 passed the following order:

“Issue Rule nisi. Call for records. Notice returnable in four weeks.

There shall be interim direction to respondent Nos. 1 and 2 to return the certificates of the petitioner, subject to the petitioner paying the stipend received by him and also the bond amount as indicated in the proceedings in RC.No.1/1/2004/ACAD-1/27088, dated 19.1.2008.”

4. In fact, on 23.10.2018, learned counsel for the petitioner sought time to get instructions from the petitioner since he is

not in touch with him. Therefore, the matter is posted to today. Even today also, learned counsel for the petitioner seeks further time on the ground that he has not contacted the petitioner.

5. From the perusal of the matter, more so in the light of the interim orders passed by this Court on 25.7.2008, this Court presumes that the petitioner might have already refunded the amount to the respondents.

6. The Writ Petition is of the year 2008. After 12 long years, it cannot be said that the petitioner failed to refund the said amount in lieu of receipt of the original certificates from the authority concerned.

7. Therefore, this Court is not inclined to accept the request of the learned counsel for the petitioner to adjourn the matter by another two weeks.

8. Accordingly, the Writ Petition is dismissed.

9. It is needless to observe that if any further instructions are required, it is open to the petitioner to approach this Court.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

P. KESHA RAO,J

Date: 31.10.2018

KPM