

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.03.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.7349 of 2019

and

W.M.P.Nos.8030 & 8032 of 2019

1.M.Natesan

2.M.Sivakumar

3.R.Periyasamy

4.S.Vigneshwaran

5.S.Dhamotharan

6.P.Ramu

7.T.Ramesh

.. Petitioners

Vs.

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Higher Education Department,
Secretariat,
Chennai - 600 009.

2. The Director of Collegiate Education,
Directorate of College Education,
9th Floor, EVK Sampath Buildings,
College Road,
Chennai - 600 006.

3. The Periyar University,
Rep. by its Registrar,
Salem - 636 011.

4. The Controller of Examinations,
Periyar University,
Salem - 636 011.

.. Respondents

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to consider the representation dated 01.03.2019 seeking withdraw/reduction of examination fees introduced by Periyar University during the middle of the academic year.

For Petitioner : Mr.S.Doraisami, Senior Counsel
for Mr.Kandhan Doraisami

For RR1 & 2 : Mr.V.Kadhirvelu
Special Govt. Pleader (Hr. Education)

For RR3 & 4 : Mr.Godson Swaminath
for M/s.Issac Chambers

O R D E R

By consent of both parties, this Writ petition is taken up for final disposal at the admission stage itself.

2. The prayer sought for in the writ petition is for a direction to the respondents herein to consider the representation dated 01.03.2019 seeking to withdraw/reduction of examination fees introduced by Periyar University during the middle of the academic year.

3. The petitioners are studying Under Graduate/Post Graduate Degree Courses in the Jairam Arts and Science College, Salem, which is affiliated to the Periyar University. The petitioners 1 to 6 belong to SC/ST communities and are pursuing the degree course only with the scholarship provided by the Government Authorities. The 7th petitioner belongs to Most Backward Community. The Periyar University issued a revised fee structure increasing the Examination Fee, Provisional Certificate Fees, Mark Statement Fees, Practical Fee, Dissertation Fee, etc. by more than 100%. Hence, the petitioners submitted a representation on 01.03.2019 to the respondents requesting to withdraw the increase in revised fee structure introduced by the Periyar University suddenly during the middle of the academic year. On 11.03.2019, the fourth respondent herein has fixed 13.03.2019 as the last date for payment of examination fees, scheduled to be held during April, 2019. Hence, the petitioners are before this Court.

4. Heard the learned counsel appearing on both sides.

5. The writ petition is filed challenging the increase in the fees with respect to certain items, namely, Provisional and Convocation Certificates, Consolidated Mark Sheet, etc. The challenge is without any basis and it is simply stated that increase in revised fee structure is 300% and 100%. Despite the revision, it is only 1000 and odd rupees increase. Therefore, this Court is not inclined to interfere with the same. It is also stated that the said communication of the university in Pe.Pa/The.A/CRE-IV/65/Exam Fee/2018, dated 22.02.2019 has given time for payment of fees only till 13.03.2019, i.e. Today. The

learned Senior Counsel appearing for the petitioners only prays extension of time for remitting the said fees.

6. Mr.Godson Swaminath, learned counsel, who accepts notice on behalf of the University submits that the respondent-University is gracious enough to extend the time till 20.03.2019 up to 5.00 p.m. to enable the students to pay the revised amount.

7. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

rsi

Sub Assistant Registrar

To

1. The Principal Secretary,
Higher Education Department,
Secretariat,
Chennai - 600 009.
2. The Director of Collegiate Education,
Directorate of College Education,
9th Floor, EVK Sampath Buildings,
College Road,
Chennai - 600 006.
3. The Registrar,
Periyar University,
Salem - 636 011.
4. The Controller of Examinations,
Periyar University,
Salem - 636 011.

+1 cc to Mr.P.Godson Swaminath, Advocate, S.R.No.23989

+1 cc to Mr.Muthumani Doraisami, Advocate, S.R.No.23437

W.P.No.7349 of 2019

and

W.M.P.Nos.8030 & 8032 of 2019

VSN-II (CO)

SSM(15/04/2019) .