



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.09.2019**

CORAM:

THE HONOURABLE DR.JUSTICE M.SUNDAR

WEB COPY

W.P.(MD)No.19149 of 2019

and

W.M.P.(MD)No.15508 and 15510 of 2019

Rajagiri Dawood Batch Educational and Charitable Trust
represented by its Managing Trustee,
Secretary and Correspondent, Dr.Dawood Batch,
Dawood Batcha Educational and Charitable Trust,
No.6, 40 Feet Scheme Road, Kamder Nagar,
Mahalingapuram, Chennai - 600 034.

... Petitioner

/Vs./

1.The Bharathidasan University,
represented by its Registrar,
Palakalaiperur,
Tiruchirappalli - 620 024.

2.The University Grant Commission,
represented by its Secretary,
Bhadur Shah Zafar Marg,
New Delhi - 110 002.

... Respondents 1&2

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for all the records pertaining to the fixation of the affiliation (both Temporary and Permanent) fees by the respondent No.1 through its senate proceedings only including the resolutions of senate resolution No.2019.26 dated 18.03.2019 for the Demand of GST on affiliation fees from affiliate colleges (both for approval of colleges and academic courses) vide letter No.29752/D1/2019 dated 29.03.2019 and to quash the same as the respondent NO.1 acting under Bharathidasan University Act Section 25 (16) cannot prescribe any affiliation fees dehors UGC Act and REgulations under it and consequently direct the respondent No.1 to refund the fees so collected from the petitioner in excess of the fees prescribed by the respondent No.1 for the academic year 2017-18 and 2018-19 and till now.

For Petitioner	: Mr.S.Jayavel
For R-1	: Mr.V.R.Shanmuganathan
For R-2	: Mr.V.Maharajan

ORDER



that his rights to assail the levy of affiliation fee and enhancement of the same may be preserved.

2. Learned counsel has made an endorsement in the case file pertaining to withdrawal.

3. Endorsement is reiterated in the hearing.

4. In the light of the endorsement and withdrawal, instant Writ Petition is dismissed as withdrawn preserving the rights of the writ petitioner in the aforesaid manner. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar (CS)

To

1.The Bharathidasan University,
represented by its Registrar,
Palakalaiperur,
Tiruchirappalli - 620 024.

2.The University Grant Commission,
represented by its Secretary,
Bhadur Shah Zafar Marg,
New Delhi - 110 002.

+1 CC to Mr.V. MAHARAJAN, Advocate (SR-85140[F] dated
04/09/2019)

Order made in
W.P.(MD)No.19149 of 2019
Dated:04.09.2019

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MK (17.09.2019) 2P 4C