

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.13927 of 2020

HIMT College,
having office at No.11, Millers Road,
Kilpauk, Chennai 600 001.

Having Campus at 55, East Coast Road,
72-B, Arambakkam, Vengampakkam Junction,
Kalpakkam, Tamil Nadu 603 102
represented by its Principal
Cap. R.Chandramowleeswaran. ... Petitioner

Vs.

The Member Secretary,
All India Council for Technical Education (AICTE),
Ministry of Human Resource Development, Govt. of India,
Nelson Mandela Marg,
Vasant Kunj,
New Delhi 110 070. ... Respondent

Prayer: Writ Petition filed under Article 226 of the
Constitution of India for issuance of a Writ of Mandamus,
directing the respondents to refund the sum of Rs.7,00,000/-
paid towards inspection charges by the Petitioner for the
purpose of obtaining approval for a technical institute and
pass orders.

For Petitioner : Mr.P.Giridharan

For Respondent : Mr.Rabu Manohar
Standing counsel.

WEB COPY
ORDER

This writ petition has been filed for the issue of
writ of Mandamus directing the respondent to refund the sum of
Rs.7,00,000/- collected towards inspection charges from the
petitioner Institution.

2.The case of the petitioner is that they applied for
permission to the respondent during the academic year 2016-17
to start an under graduate course in Marine Engineering. The
petitioner also remitted a sum of Rs.7,00,000/- towards
inspection charges. The application submitted by the

petitioner Institution came to be rejected by the respondent on certain grounds. It is the admitted case of the petitioner that the petitioner did not renew the application during the subsequent academic years.

3.The petitioner made a representation on 10.03.2017 requesting for the refund of the inspection charges paid to the respondent. According to the petitioner, this representation was entertained and the respondent had also sought for certain details from the petitioner and the petitioner also provided those details. The grievance of the petitioner is that the respondent has not refunded the inspection charges till date and left with no other alternative, the present writ petition has been filed before this court seeking for appropriate directions.

4.The respondent has filed a counter affidavit in this case. Heard the submissions of Mr. Rabu Manohar, learned standing counsel appearing on behalf of the respondent.

5.Taking into consideration the facts and circumstances of the case and without going into the merits of the claim made by the petitioner, there shall be a direction to the respondent to take a decision and inform the petitioner with regard to the refund of the inspection charges claimed by the petitioner, within a period of four weeks from the date of receipt of copy of this order.

6.This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

rm

To:

The Member Secretary,
All India Council for Technical Education (AICTE),
Ministry of Human Resource Development, Govt. of India,
Nelson Mandela Marg,
Vasant Kunj,
New Delhi 110 070.

+1cc to Mr.B.Rabu Manohar, Advocate, S.R.No. 37678
+1cc to Mr.P.Giridharan, Advocate, S.R.No. 38160

W.P No.13927 of 2020

VD (CO)

<https://hcservices.ecourts.gov.in/hcservices/>
GN (07/01/2021)