



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :22.09.2020

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WEB COPY

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P.(MD) No.9960 of 2020

S.Degaul

...Petitioner

Vs.

1. The University Grants Commission,
Rep.by its Secretary, Bahadur shah Zafar Marg,
New Delhi - 110 002.

2. The Madurai Kamarajar University
Rep. by its Registrar,
Kamrajar Nagar, Madurai.

3. The Principal,
Lady Doak College,
Chinna Chokkikulam,
Madurai 625 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the third respondent to refund the sum of Rs.41,000/- having the amount paid by the petitioner towards tuition fees and Hostel fees by considering the petitioner's representation dated 28.07.2019.

For Petitioner	: Mr.C.Prithviraj
For R1	: Mr.K.Ragatheeshkumar, Standing Counsel, for M/s.Isaac Chambers
For R2	: No Appearance

ORDER

This Writ Petition is filed to direct the third respondent herein to refund the tuition fee paid by the petitioner, by considering his representation dated 28.07.2019.

2. The learned counsel for the petitioner submitted that the petitioner's daughter made an application for joining the UG B.SC degree course before the third respondent college and got admission and has also paid the admission fee of Rs.41,000/-. Thereafter, the petitioner's daughter got admission at NEET course at Thrissur. In



the meantime, the third respondent/College has informed that the course will be commenced from 19.06.2019. Therefore, before commencement of the course, the petitioner's daughter approached the third respondent/college on 11.06.2019 and made a request for cancellation of the course and refund of the tuition fee and hostel fee also.

3.The learned counsel for the petitioner further submitted that after some time, the third respondent remitted the amount of Rs.18,214/- and told that the remaining amount will not be refunded. In this regard, she has also made another representation dated 27.08.2019, till then no response. Hence the petitioner filed this present writ petition.

4.Heard the learned counsel on either side.

5. Considering the facts and circumstances, this Court is of the view that the petitioner is legitimately entitled for refund of the said fee. Therefore, considering the prayer sought for by the petitioner, this Court directs the third respondent to consider the petitioner's representation dated 27.08.2019, in accordance with terms and conditions of the prospectus and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order, after affording opportunity to the petitioner.

6.This Writ Petition is disposed of, accordingly. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1. The Secretary,
University Grants Commission,
Bahadur shah Zafar Marg,
New Delhi - 110 002.

2. The Registrar,
Madurai Kamarajar University,
Kamrajar Nagar, Madurai.

3. The Principal,
Lady Doak College,
Chinna Chokkikulam,
Madurai 625 002.

+1 CC to M/s.ISAAC CHAMBERS, Advocate SR-17792.

W.P. (MD) No.9960 of 2020
22.09.2020

SCR(CO)
CS(05.10.2020) 3P 5C