



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.02.2020
CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P. (MD) No. 17419 of 2015

WEB COPY

M. Ilampiraiyan

... Petitioner

vs.

1. The Secretary to Government,
Adi Dravidal and Tribal Welfare Department,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.
2. The Tahsildar,
Rajapalayam Taluk, Rajapalayam.
3. The Welfare Officer,
Adi Dravidar and Tribal Welfare Department,
District Collectorate Complex, Madurai - 625 020.
4. The Principal,
Thiagarajar School of Management,
Pamban Swamy Nagar,
Thiruparankundaram, Madurai - 625 005.

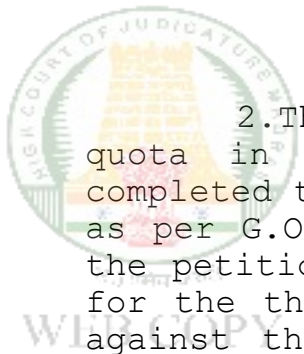
... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the fourth respondent to send suitable recommendations to respondents 1 to 3 for the refund of tuition fees of Rs.30,000/- per academic year for three years and scholarship also for the academic year 2012-13, 2013-14 and 2014-15 as per G.O.92, Government of Tamil Nadu, by considering the petitioner's representation, dated 20.08.2015 within the time period stipulated by this Court.

For Petitioner	: Mr.A.Haja Mohideen
For R1 to R4	: Mr.A.Muthu Karuppan
	Additional Government Pleader
For R4	: Mr.M.E.Elango

O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus to direct the fourth respondent to send suitable recommendations to respondents 1 to 3 for the refund of tuition fees of Rs.30,000/- per academic year for three years and scholarship also for the academic year 2012-13, 2013-14 and 2014-15 as per G.O.No.92, Government of Tamil Nadu, by considering the petitioner's representation, dated 20.08.2015 within the time period stipulated by this Court.



2.The petitioner joined MCA course through Government TANCET quota in the fourth respondent College in the year 2012 and completed three years course in the year 2015. It is contended that as per G.O.No.6, dated 01.09.2012 and G.O.No.92, dated 11.09.2012, the petitioner is entitled to refund of tuition fees of every year for the three academic years. The grievance of the petitioner is against the fourth respondent that the fourth respondent College avoided sending necessary recommendations to respondents 1 to 3 to enable the petitioner to get scholarship in time. The petitioner also submitted several representations to the authorities and it is admitted that the petitioner had paid the college fees for all the three years. The petitioner's entitlement to get reimbursement of the amount paid by the petitioner towards tuition fee is not in dispute.

3.The learned Counsel for the fourth respondent has now produced before this Court, the recommendations of the fourth respondent to indicate that the application of the petitioner for refund of tuition fee was forwarded to the third respondent on 07.10.2015. The third respondent has also acknowledged the receipt of the application forwarded by the fourth respondent to the third respondent along with recommendations.

4.The third respondent, by communication, dated 09.09.2015, has issued a direction to the fourth respondent and show cause why the applications of eligible candidates to get scholarship was not submitted by the fourth respondent in time. This communication addressed to the fourth respondent in 2015 is produced before this Court by the learned Additional Government Pleader today. When the application of petitioner was forwarded to the third respondent by fourth respondent along with recommendations of the fourth respondent, immediately thereafter, ie., on 07.10.2015, it is unfortunate to note that the third respondent has now produced the communication addressed to the fourth respondent in 2015. The delay is on account of the inaction on part of the third respondent.

5.Considering the facts admitted, this petition is allowed with the direction to the third respondent to consider the application forwarded by the fourth respondent on 07.10.2015 and disburse the amount to the petitioner to which the petitioner is entitled to in terms of the Government Orders within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



- 1.The Secretary to Government,
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- 2.The Tahsildar,
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- 3.The Welfare Officer,
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- 4.The Principal,
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Pamban Swamy Nagar,
Thiruparankundaram, Madurai - 625 005.

+1 CC to Mr.A.HAJA MOHIDEEN, Advocate (SR-4687[F] dated 04/02/2020)
+1 CC to SPL.GP (SR-4764[F] dated 05/02/2020)
+1 CC to Mr.M.E.ILANGO, Advocate (SR-4906[F] dated 05/02/2020)

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MK (19.02.2020) 3P 8C