



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2020

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.14667 of 2018

WEB COPY

S.V.Keerthishivani

... Petitioner

Vs.

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

2.The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore District.

... Respondents

Prayer: This Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, to direct the second respondent to consider the petitioner's representation dated 30.10.2017 and thereby direct the second respondent to refund the money paid by the petitioner within a time frame fixed by this Court.

For Petitioner: No Appearance

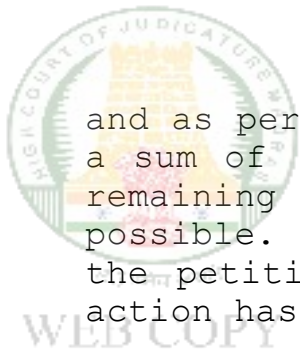
For R1 : Mr.C.Ramesh,
Special Government Pleader.

For R2 : Mr.Karthik Raja
for M/s Ajmal Associates

ORDER

This Writ Petition is filed to direct the respondent herein to refund of tuition fees paid by the petitioner on 31.07.2017.

2.The petitioner joined B.Sc., Horticulture course in the second respondent University. She has paid admission fee of Rs.37,430/- [Chalan No.60216] for the academic year 2017-2018 and obtained a Roll Number as 1750170015. In the meantime, the petitioner got admission in Tamil Nadu Agricultural University, Coimbatore for the B.Sc., (Hons) Agriculture for the academic year 2017-2018. Hence, she made a request to the second University through a letter dated 04.09.2017, for returning of Transfer Certificate, Mark Sheet and refunding of fee. The second respondent University have accepted the request of the petitioner



and as per General Rule since she has not attended any class, only a sum of Rs.1,000/- will be collected as service charge and remaining amount of Rs.36,430/- will be returned as early as possible. However, the same has not been returned so far. Hence, the petitioner made a representation dated 30.10.2017. Since no action has been taken, the petitioner is before this Court.

3.This Writ Petition filed before this Court in the year 2018. Despite several adjournments, the respondents have not chosen to file counter-affidavit.

4.By considering the grievance of the petitioner that she has joined B.Sc., Horticulture course in the second respondent University during the academic year 2017-2018 and that while she was undergone the said Course in the second respondent University, the petitioner got admission in Tamil Nadu Agricultural University, Coimbatore for the B.Sc., (Hons) Agriculture for the academic year 2017-2018 and she approached the second respondent University to return the fee. However, there is no response.

5.The petitioner approached the authorities on several occasions and she made a written representation dated 30.10.2017 to refund the fee paid by her. The respondents have not chosen to furnish any remark to the Standing Counsel for the University nor file any counter-affidavit before this Court.

6.Considering the facts and circumstances, this Court is of the view that the petitioner is legitimately entitle for the refund of the said fee. Therefore, considering the prayer sought for by the petitioner, this Court is directed the second respondent University to pass appropriate order, on the petitioner's representation dated 30.10.2017, which was filed for refund of the fee, within a period of eight weeks from the date of receipt of a copy of this order, after affording opportunity to the petitioner.

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

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)



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

2.The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram,
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AVS (CO)
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