



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 02.01.2020
CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

WEB COPY

W.P.(MD).No.25935 of 2019

Sheinu S.Flexy (Minor),
Rep. by her mother,
N.Stella Rani,
Paduvakkarai, Bethelpuram Post,
Kanyakumari District - 629 803. .. Petitioner

Vs.

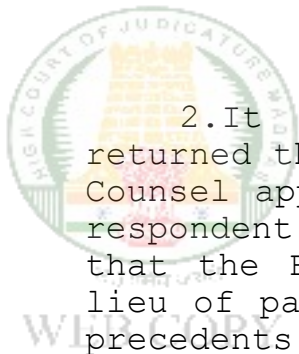
- 1.The All India Technical Education Council,
South Zone Office,
Sasthri Bhavan, 26, Nungamapakkam,
Chennai - 600 006.
- 2.The Director,
Anna University,
Guindy, Chennai - 600 025.
- 3.The Academic Director,
Bethlahem Institute of Engineering,
Karungal, Kanyakumari District - 629 157. .. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to return the petitioner's daughter Original copies of the 10th, +2 mark sheet, Transfer Certificate and Conduct certificate to her forthwith without insisting any fee.

For Petitioner : Mr.F.Deepak
For Respondent 1 : Mr.N.Dilip Kumar
For Respondent 2 : Mr.M.Rajarajan
Government Advocate
For Respondent 3 : Mr.Ragatheesh Kumar
for M/s.Isaac Chamber

ORDER

This Writ Petition is filed for issuing a Writ of Mandamus directing the third respondent to return the original certificates of the petitioner's daughter i.e., 10th, +2 mark sheets, Transfer Certificate and Conduct certificate to her forthwith without insisting the petitioner or her daughter to pay any fee.



2.It appears that the third respondent management has not returned the certificates of the petitioner's daughter. The learned Counsel appearing for the first respondent submitted that the first respondent has issued various directions and circulars indicating that the Engineering Colleges cannot withhold the certificates in lieu of payment of any fee for the institution. There are several precedents of this Court and the Hon'ble Supreme Court directing the institution to return the certificates to the student concerned without insisting any outstanding dues which may be payable by the student. In other words, for non-payment of actual college fee or tuition fee, the original certificates of the student cannot be withheld by the institution. Hence, this Writ Petition is allowed and the third respondent is directed to return the original certificates of the petitioner's daughter, namely, 10th, +2 Mark Sheets, Transfer Certificate, Conduct Certificate, etc., forthwith as and when the petitioner or the petitioner's daughter appear in person before the third respondent. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

1.The All India Technical Education Council,
South Zone Office, Sasthri Bhavan,
26, Nungamapakkam, Chennai - 600 006.

2.The Director,
Anna University, Guindy, Chennai - 600 025.

3.The Academic Director,
Bethlahem Institute of Engineering,
Karungal, Kanyakumari District - 629 157.

+1 CC to M/s.F.DEEPAK, Advocate (SR-63[F] dated 03/01/2020)
+1 CC to M/s.N.DILIP KUMAR, Advocate (SR-202[F] dated 03/01/2020)
+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-229[F] dated 03/01/2020)
+1 CC to M/s.M.RAJARAJAN, Advocate (SR-169[F] dated 03/01/2020)

ORDER MADE IN
W.P. (MD) .No.25935 of 2019
02.01.2020

SRM

<https://hccs.courts.gov.in/services/P-8C>