

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2021

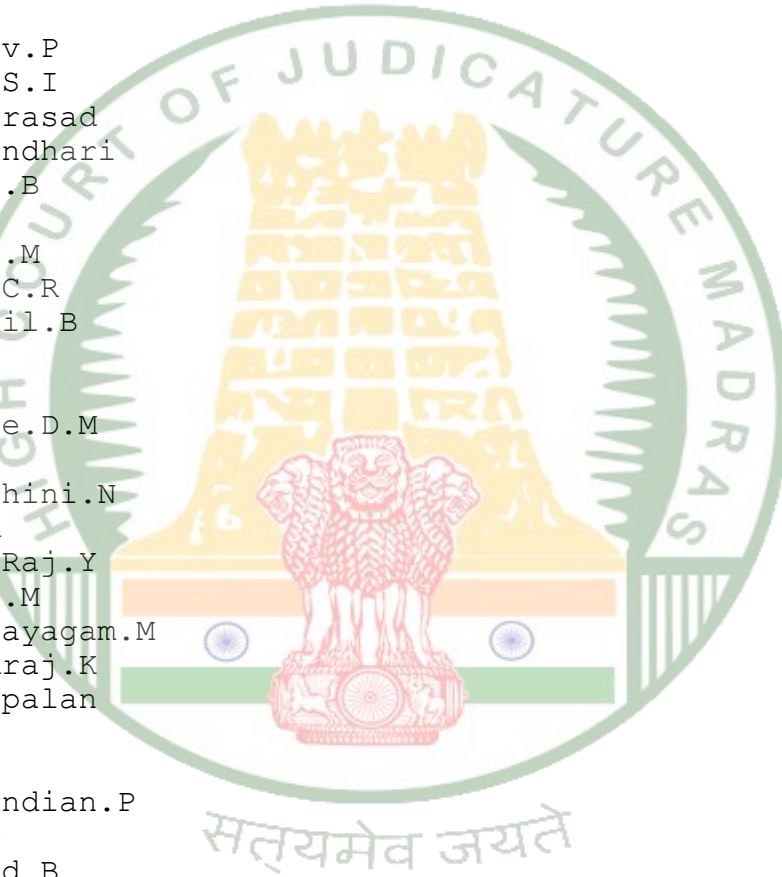
CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.No. 14032 of 2020
and

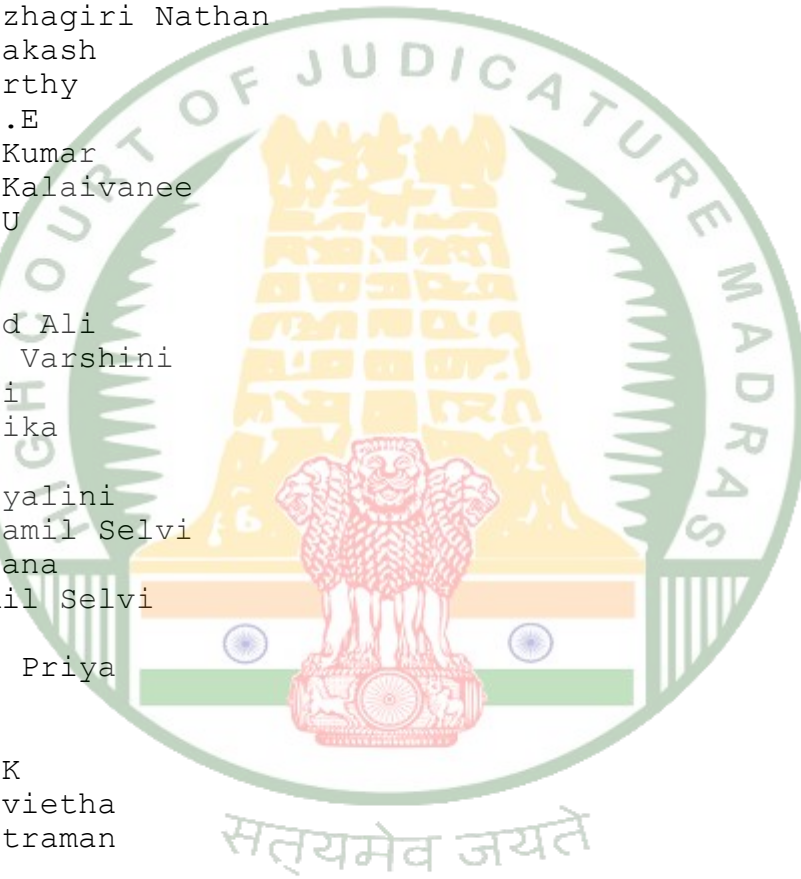
W.M.P.Nos. 17422 & 17423 of 2020

- 1.Gopinath
- 2.Shanmuga Dev.P
- 3.Sharukumar.S.I
- 4.N.Likitha Prasad
- 5.S.Shivha Sundhari
- 6.Balaganesan.B
- 7.Tapasya B
- 8.Ananthagoma.M
- 9.Ajaysuriya.C.R
- 10.Akshay Sunil.B
- 11.Akshaya.S
- 12.Bertila.A
- 13.Beula Joyce.D.M
- 14.Afrin.A
- 15.Divyaadarshini.N
- 16.Avithran.A
- 17.Janeshwar Raj.Y
- 18.Kathiravan.M
- 19.Sakthi Vinayagam.M
- 20.Hari Anandraj.K
- 21.Mahesh Boopalan
- 22.Rishab.A
- 23.Jayaram.R
- 24.Abilash Pandian.P
- 25.Yuvasree.P
- 26.Giri Prasad B
- 27.Gokula Krishnan.K
- 28.Aakash Clinton.J
- 29.Durga Vatsala.V
- 30.Dhanush Adhithya.P
- 31.Sanjai.R
- 32.Geethavani.A
- 33.Praveen.M
- 34.Athi Sharmila.R
- 35.Aadarsh.MB
- 36.Thoufiq Mohamed.Z
- 37.Manikandan.S
- 38.Sasidharan.R



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39.Karthik.S
40.Sachin Sundar Raj.S
41.Kavitha.P
42.R.Deva Dharshini
43.E.Kayalvizhi
44.S.U.Mamta
45.A.Subash Chandra Bose
46.D.Akshya
47.P.Jeevitha
48.P.Divyadarshini
49.Jr.Cyndhia
50.V.R.Adhith
51.T.Arun Alzhagiri Nathan
52.M.Arun Prakash
53.M.Gurumoorthy
54.Yukshitha.E
55.S.Ashwin Kumar
56.A.P.Sree Kalaivanee
57.Poushali.U
58.Kumudha.S
59.S.Mourish
60.N.Mohammed Ali
61.E.Keertha Varshini
62.A.Nandhini
63.G.M.Karthika
64.R.Rithika
65.S.R.Vetriyalini
66.M.M.Senthamil Selvi
67.B.Subranjana
68.J.Senthamil Selvi
69.S.Swetha
70.S.Sathiya Priya
71.Vasuki.M
72.Pooja.S
73.Janani.R.K
74.N.D.Vidyavietha
75.G.S.Venkatraman
76.P.Manusha
77.M.Nivetha Harini
78.A.Ananthi
79.K.Vishnu Prasath
80.N.Deepika
81.G.Lekha
82.R.Mathan Kumar
83.J.B.Maria Jeol Costa
84.P.Sathiah Kumar
85.H.S.Sathyanarayanan
86.Karan Menon.R.K
87.S.Manoj Prabhakaran
88.V.Archana



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89.M.Rajalakshmi
90.K.Gowthaman
91.M.Arumugam
92.M.Chandru
93.Srinithi.M.S

...Petitioners

Vs.

- 1.State of Tami Nadu,
rep by its Secretary (Law Department)
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The Vice Chancellor,
The Tamil Nadu Dr.Ambedkar Law University,
"Poompozhi" No.5, D.G.S.Dinakaran Salai,
Chennai - 600 028.
- 3.Director of Legal Studies,
198, Purasaiwalkam High Road,
Lumbini Square, Purasaiwakkam,
Chennai - 600 010.
- 4.The Tamil Nadu Dr.Ambedkar Law University (TNDALU)
represented by its Registrar
"Poompozhi" No.5, D.G.S.Dinakaran Salai,
Chennai - 600 028.
- 5.The Tamil Nadu Dr.Ambedkar Law University (TNDALU)
School of Excellence in Law,
represented by its Director (UG Courses)
Perungudi Campus, M.G.R.Salai,
Chennai - 600 013.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of writ of certiorari mandamus, calling for the records of the 5th respondent pertaining to the Impugned Order vide C.No.724/SOEL/UG/S1/2020 on fee payment dated 29.08.2020 and the subsequent circular C.No.31-Sep1/SOEL/UG/S1/2020 dated 14.09.2020 in the website of the 5th respondent and quash the same in so far as the Inter Fee, Library Fee, AIR Cafe Fee, Infrastructural Facilities fee, Class Amenities fee, Sports Fee, Moot Court Fee, Admission application fee, NSS and Youth Red Cross fee are concerned, as illegal, arbitrary and devoid of merit and consequentially direct the respondents to revise the impugned circular by waiving / reducing the associated fee.

For Petitioner : Mr.K.M.Mrithun Jayan

For Respondents: Mr.K.Parameswaran for R1 to R3

Mr.V.Vasanthakumar for R4 & R5

O R D E R

The students of the School of Excellency have filed this writ petition challenging the impugned circular dated 29.08.2020 and a circular dated 14.09.2020 in and by which, the respondent / Institution has demanded Library Fee, Internet Fee, Infrastructural Facilities Fee, Class Amenities Fee, Sports Fee, Moot Court Fee, AIR Cafe Fee, Admission application Fee, NSS and Youth Red Cross Fee without providing the aforesaid amenities in the previous year.

2. The case of the petitioners is that due to the Covid - 19, the said academic activities in the respondent / College has not been commenced so far. Without even providing the basic amenities, permitting the petitioner to access the library and Internet and other infrastructures, the respondent, by the circular has demanded fees for library, internet and other infrastructure facilities etc.,

3. Mr.V.Vasanth Kumar, learned counsel for the respondents 4 and 5 has referred the para 9 to 11 of the counter affidavit in support of his submissions, which reads as follows:-

"9. That taking into consideration of the ground realities and visualizing the financial difficulties faced by the students and parents due to sudden outbreak of COVID - 19, The Finance Committee in its 82nd meeting by circulation dated 02.11.2020 resolved to recommend to the syndicate to grant concession of 30% (Thirty Percentage) in the fee (other than Admission fee, Tuition fee, & AIR Cafe fee) payable during the academic year 2020-2021 in the following heads of fees viz., Library fee, Internet fee, Infrastructural facilities fee, Class Amenities fee, Sports fee, Moot Court fee for students of the first year to the final year of all 5 year / 3 year LLB (Hons) and LLM students, who seek for concession and the Syndicate approved the said recommendation in its 172nd (special) Syndicate by circulation on 12.11.2020 which reads as follows:-

The Syndicate unanimously RESOLVED to approve the minutes of the 82nd Finance Committee by circulation on 31/10/2020 recommending grant of 30% fee concession (Other than admission fee, tuition fee & AIR Cafe fee) to the students (Other than NRI Students) those who seek fees concession of all 5 year Integrated Courses, 3 year LL.B (Hons.) and LL.M Degree Courses offered in

the School of Excellence in Law, TNDALU,
during the academic year 2020-2021.

10. I respect submit that pursuant to the
Syndicate's resolution dated 12.11.2020, the 4th
respondent on 23.11.2020 addressed a letter in
C.No.724/Regr/ Aca/A4/2020 requesting the 1st
respondent to issue appropriate orders.

11. I respectfully submit that the pursuant to the
letter dated 23.11.2020, the 1st respondent issued a
communication in Letter (MS) No.318 dated 08.12.2020
accepting the resolution dated 12.11.2020 passed by
the Syndicate and accorded permission to grant 30%
fees concession for the Academic year 2020-2021."

4. The learned counsel for the respondents by relying upon
the Letter (MS)No. 318 dated 08.12.2020 would submit that
considering the situation, the Government has also granted
waiver of 30% fee to the students for the academic year 2020-
2021.

5. Recording the said submissions made by the learned
counsel for the respondents that the government has already
awarded 30% fee concession for the academic year 2021, this writ
petition is disposed of. Consequently, connected miscellaneous
petitions are closed. No costs.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To:-

1.The Secretary (Law Department)

Secretariat, Fort St.George,
Chennai - 600 009.

2.The Vice Chancellor,

The Tamil Nadu Dr.Ambedkar Law University,
"Poompozhi" No.5, D.G.S.Dinakaran Salai,
Chennai - 600 028.

3. The Director of Legal Studies,

198, Purasaiwalkam High Road,
Lumbini Square, Purasaiwakkam,
Chennai - 600 010.

4. The Registrar,
The Tamil Nadu Dr.Ambedkar Law University(TNDALU)
"Poompozhi" No.5, D.G.S.Dinakaran Salai,
Chennai - 600 028.

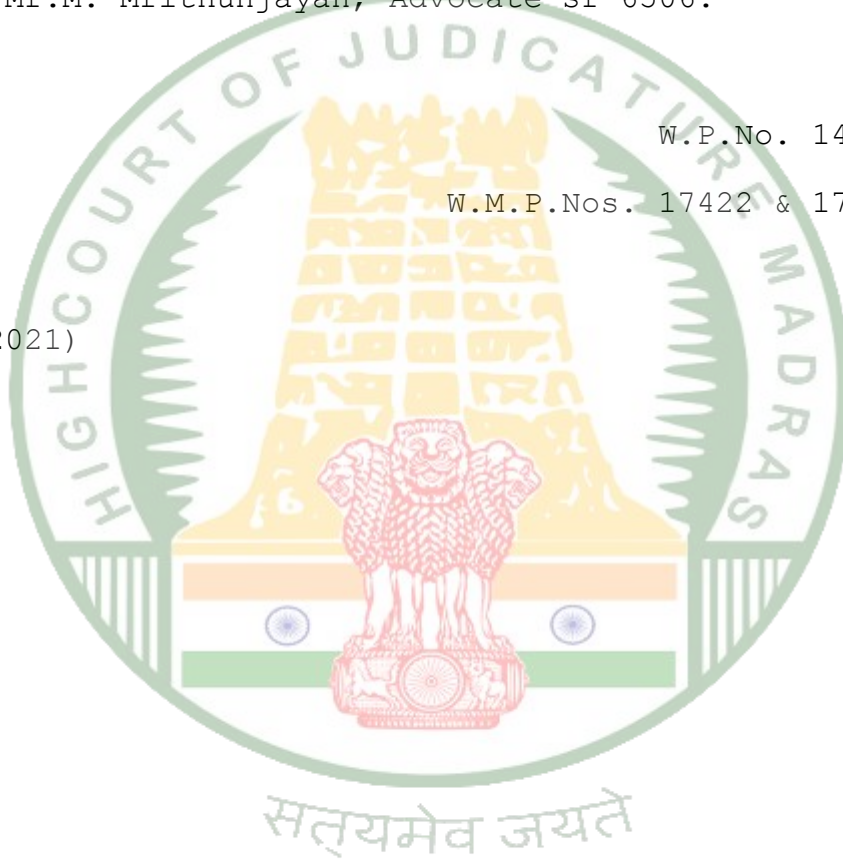
5. The Director (UG Courses)
The Tamil Nadu Dr.Ambedkar Law University(TNDALU)
School of Excellence in Law,
Perungudi Campus, M.G.R.Salai,
Chennai - 600 013.

+2 Ccs to Mr.M. Mrithunjayan, Advocate sr 6506.

W.P.No. 14032 of 2020
and

W.M.P.Nos. 17422 & 17423 of 2020

AD(CO)
SP(23/02/2021)



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