



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No. 21190 of 2021

and

W.M.P.No.22469 of 2021

C.Gayathri

... Petitioner

Vs

1. The Principal,
Pondicherry University Community College,
Lawspet., Puducherry - 605 008.

2. The Principal,
Tagore Arts and Science College,
Lawspet., Puducherry - 605 008.

3. The Director,
Directorate of Higher & Technical Education,
Puducherry.

4. The Vice Chancellor,
Pondicherry University,
Pondicherry - 605 014.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying Writ of Mandamus, directing the first respondent to produce her all original certificates i.e. 1. HSC Statement of Marks issued by State Board of School Education, Government of Tamilnadu, Chennai, 2. Transfer Certificate issued by the Vallalar Government Girls Hr.Sec.School, Lawspet, Puducherry-8, 3. Birth Certificate and Puducherry Income and Community Certificate issued by the revenue officials of Puducherry.

For Petitioner : M/s.S.Anbalagan

For Respondent R1 : Mr.B.Rabu Manohar

For Respondent R3 : C.T.Ramesh

For Respondent R4 : Mr.S.Balakrishnan



ORDER

This writ petition has been filed to direct the first respondent to produce all her original certificates i.e. 1. HSC Statement of Marks issued by State Board of School Education, Government of Tamilnadu, Chennai, 2. Transfer Certificate issued by the Vallalar Government Girls Hr.Sec.School, Lawspet, Puducherry-8, 3. Birth Certificate and Puducherry Income and Community Certificate issued by the revenue officials of Puducherry.

2. The case of the petitioner is that she got admission in B.Sc., (Mathematics) in the 2nd respondent college and she submitted all her original certificate at the time of joining. Thereafter, the petitioner joined Diploma in Sanitary Inspector after quitting B.Sc., (Mathematics) from the 2nd respondent college. At the time of admission in the 1st respondent college, the petitioner gave undertaking letter to them stating that she will produce the original certificates in due course and submitted the xerox copies of the required documents alone and however, after a week, she submitted the original documents to the 1st respondent. Thereafter, the petitioner after completing the Diploma course in 1st respondent college, joined B.Sc., (Physics) for the academic year 2020-2023 and at the time of admission, the petitioner submitted the letter given by 1st respondent dated 30.01.2021 stating that the originals will be issued to the petitioner in due course and based on the above said letter, the petitioner got admitted in the 2nd respondent college and she is pursuing her second year in B.Sc., (Physics).

3. It is further submitted that when the 2nd respondent insisted the petitioner to produce the originals, she approached the 1st respondent, but it all went vain. The 1st respondent insisted the petitioner's father to give complaint to trace the original certificates of her since it is not with them, and the petitioner has made a complaint dated 23.02.2021 regarding the same. Thereafter, the petitioner sent representation dated 13.04.2021 to the 3rd respondent to permit her to write the examination and the same was denied by the 3rd respondent and insisted that without submitting the originals, the petitioner cannot be allowed to write the degree examination. While being so, the petitioner received communication from 1st respondent stating that the petitioner did not even submit her originals at the time of admission for the Diploma course. Thereafter, the petitioner made representation to the Station House Officer, Puducherry regarding the 1st respondent's communication and their



compulsion to lodge a false complaint, but till date no steps were taken. Hence, this Writ petition.

4. The learned counsel for the petitioner submitted that the 2nd respondent informed the petitioner that she will be discontinued from the B.Sc., degree course if she fails to produce the original documents, due to which the petitioner is subjected to mental stress. He further submitted that, it would suffice, if this Court issues direction to the 1st respondent to return the original certificates of the petitioner within a time stipulated by this Court.

5. The learned counsel appearing for the 1st respondent fairly conceded that the petitioner's representation will be considered and if the original certificates are with the college, the same will be returned within a period of two weeks from the date or receipt of a copy of this order.

6. Heard the arguments advanced on either side.

7. In view of the above, recording the submission made by the learned counsel appearing for the 1st respondent, and also it is evident the letter dated 30.01.2021 issued by the 1st respondent that the petitioner has submitted her original certificates during the time of admission, this Court issues direction to the 1st respondent to return the original certificates of the petitioner within a period of four weeks from the date or receipt of a copy of this order.

8. Accordingly, this Writ petition is disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

skt
To

1. The Principal,
Pondicherry University Community College,
Lawspet.,
Puducherry - 605 008.



2. The Principal,
Tagore Arts and Science College,
Lawspet., Puducherry - 605 008.

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3. The Director,
Directorate of Higher & Technical Education,
Puducherry.

4. The Vice Chancellor,
Pondicherry University,
Pondicherry - 605 014.

+1cc to Mr.B.Rabu Manohar, Advocate Sr.61422

+1cc to Mr.Anbalagan, Advocate Sr.61736

W.P.No. 21190 of 2021
and

W.M.P.No.22469 of 2021

kg[cio]
srg 27/12/2021