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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.24259 of 2021

T.Aloysie Anisha

... Petitioner

Vs.

1. The Secretary,
University Grants Commission (UGC),
Bahadur Shah Zafar Marg,
New Delhi-110 002.
2. Anna University,
Represented by its Registrar,
Guindy, Chennai- 600 025.
3. Sri Sivasubramaniya Nadar College of Engineering (SSNCE),
Represented by its Principal
Rajiv Gandhi Salai (OMR),
Kalavakkam - 603 110.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd Respondent to refund sum of Rs.1,90,500/- (Rupees One Lakhs Ninety Thousand Five Hundred Only) being the amount paid towards tuition fee, Special and Other fee, Hotel Rent and Hostel Admission fee with interest at the rate of 18 percentage per annum along with compensation for the mental agony.

For Petitioner : Mr.A.P.Balaji

For Respondent : Mr.U.Baranidharan
Government Advocate

R2- Mr. M.Vijaya kumar
for Anna University
R3-NA

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the 3rd Respondent to refund sum



of Rs.1,90,500/- paid towards tuition fee, Special and Other fee, Hotel Rent and Hostel Admission fee with interest at the rate of 18 percentage per annum along with compensation for the mental agony.

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2.Since, no adverse order was passed against the third respondent, notice to the third respondent is dispensed with.

3.The case of the petitioner is that the petitioner had applied for an admission to pursue her PG Degree i.e. M.E. Computer Science and Engineering Department under Management Quota for the academic year 2019-2021 and paid a total fee of Rs.2,03,000/- (Rupees Two Lakhs and Three Thousand only) to the 3rd respondent through Demand Draft dated 25.06.2019 bearing No.893258. Subsequently, the petitioner got admission on merit in Anna University, Guindy for M.E. in Computer Science and Engineering Department through counselling conducted on 28.08.2019 based on the marks obtained in TANCET-2019 Exam results. Further the petitioner's father wrote a letter dated 30.08.2019 to the 3rd respondent informing the petitioner's admission in Anna University and requested for refund of fees. Since there was no response, one more letter dated 29.10.2019 was sent through RPAD. Thereafter, the petitioner received a letter from 3rd respondent with Remittance Advice dated 22/01/2020 and Demand Draft bearing No.786096 dated 21.01.2020 for only a sum of Rs.12,500/- (Rupees Twelve Thousand Five Hundred only).

4. It is further submitted that since the 3rd respondent have not refunded the entire amount, a Legal Notice dated 02.08.2021 was issued to the 3rd Respondent seeking for refund of the balance amount Rs.1,90,500/- (Rupees One Lakhs Ninety Thousand Five Hundred Only) with interest at the rate of 18 percentage per annum along with compensation for the mental agony. But there was no response from the 3rd Respondent. Hence, this writ petition.

5.The learned counsel appearing for the petitioner submitted that the petitioner sent multiple letter and Legal Notice to the 3rd respondent for the refund the entire fee amount paid by the petitioner, however, the 3rd respondent refunded only Rs.12,500/- (Rupees Twelve Thousand Five Hundred only) and there was no further response from the 3rd respondent. Hence, he prays this Court to issue direction to the third respondent to refund the fees amount paid by the petitioner within a reasonable time as fixed by this Court.

6. Heard the arguments advanced on either side.

7. In view of the aforesaid submissions, this Court without



expressing any opinion on the merits of the case directs the 3rd respondent to consider the petitioner's representation / Legal Notice dated 02.08.2021 in line with the rules and guidelines given in the prospectus relating to refund of course fee and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs.

8. This Writ Petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

skt

To

1. The Secretary,
University Grants Commission (UGC),
Bahadur Shah Zafar Marg,
New Delhi-110 002.
2. Anna University,
Represented by its Registrar,
Guindy, Chennai- 600 025.

+1cc to Mr.A.P.Balaji, Advocate, S.R.No.58702
+1cc to Mr. M.Vijaya kumar, Advocate, S.R.No.58789

W.P.No.24259 of 2021

KSM(CO)
CT 03/12/2021