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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.NO.31981 OF 2018

AND

W.M.P.NO.37238 OF 2018

S.Mahalakshmi

... Petitioner

Vs.

1. Union of India,
Rep by its Joint Secretary,
Ministry of Human Resources Development,
Shastri Bhavan,
New Delhi.
2. Union of India,
Rep. by its Secretary to Government,
Ministry of Health and Family Welfare,
Nirman Bhawan,
New Delhi.
3. The University Grants Commission,
Rep.by its Secretary,
Bahadursha Zafar Marg,
New Delhi - 110 002.
4. The Chairman
Saveetha University (Deemed University)
162, Poonamallee High Road,
Velappanchavadi, Chennai - 600 077.
5. Saveetha University (Deemed University),
Rep.by its Registrar,
162, Poonamallee High Road,
Velappanchavadi, Chennai - 600 077.
6. The Principal,
Saveetha College of Physiotherapy,
Saveetha Nagar,
Thandalam, Chennai - 600 028.

... Respondents



Prayer :

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 4 to 6 to return the Original Certificates viz., 10th mark sheet Original, Plus Two mark sheet Original, Transfer Certificate, Community Certificate and Birth Certificate to the petitioner and also to refund the Tution Fees, other charges collected from the petitioner including the damages of Rs.25 Lakhs for lacking infrastructure to the Bachelor of Physiotherapy (BPT) course.

For Petitioner : R.Venkatesulu

For Respondents: Ms.R.Durgarani
Central Government Standing
Counsel for R1 and R2

: Mr.S.Sarvanan for R4 to R6

: Ms.Sudha for R3

O R D E R

This writ petition has been filed for issue of writ of mandamus directing the respondents 4 to 6 to return back all the original certificates to the petitioner and also for the refund of the fees paid by the petitioner. The petitioner is also claiming damages against the respondent University.

2.The case of the petitioner is that she was admitted in the 6th respondent College in the year 2015 to undergo the Bachelor of Physiotherapy (BPT). The course period is four years and out of the same, the petitioner is said to have undergone the course for three years. There was some misunderstanding between the petitioner and the Institution. According to the petitioner, she was not permitted to continue with the course. Therefore, the petitioner sought for returning back all the certificates and also refund of the fees paid by him. Since, the same was not considered by the respondents, the present writ petition has been filed before this Court seeking for appropriate directions.

3.The petitioner has made various allegations against the respondents 4 to 6 in the affidavit filed in support of the writ petition. Hence, the 6th respondent has filed detailed counter affidavit denying all the allegations.

4.Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.



5. In the considered view of this Court, there is no requirement for this Court to go into the allegations and counter allegations made between the parties. This Court is more interested in providing a relief to the petitioner to pursue with her carrier.

6. In view of the above, there shall be a direction to the 6th respondent to handover all the original certificates submitted by the petitioner at the time of her admission, within a period of two weeks from the date of receipt of copy of this order. If the petitioner is seeking for the Transfer Certificate, an application shall be made by the petitioner before the 6th respondent College and the Transfer Certificate shall also be issued, within a period of two weeks from the date of the submission of the application by the petitioner.

7. This writ petition is disposed of with the above direction. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Joint Secretary,
Union of India,
Ministry of Human Resources Development,
Shastri Bhavan,
New Delhi.
2. The Secretary to Government,
Union of India,
Ministry of Health and Family Welfare,
Nirman Bhawan,
New Delhi.
3. The Secretary,
The University Grants Commission,
Bahadursha Zafar Marg,
New Delhi - 110 002.



4. The Chairman
Saveetha University (Deemed University)
162, Poonamallee High Road,
Velappanchavadi, Chennai - 600 077.

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5. The Registrar,
Saveetha University (Deemed University),
162, Poonamallee High Road,
Velappanchavadi, Chennai - 600 077.

6. The Principal,
Saveetha College of Physiotherapy,
Saveetha Nagar,
Thandalam, Chennai - 600 028.

+1cc to M/s.Usha Ramman, Advocate, S.R.No.46924

+1cc to M/s.S.Sarvanan, Advocate, S.R.No.46836

+1cc to M/s.R.Durgarani, Advocate, S.R.No.47047

W.P.No.31981 of 2018
and W.M.P.No.37238 of 2018

PL(CO)
CS/12/10/2021