



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2022

CORAM

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

W.P.No.16256 of 2010

1.S.Kamalakannan
2.P.Dinesh Prasanth
3.G.Soundhar Rajan
4.C.Mahendran
5.L.Ramachandran
6.R.Selvamani
7.T.Sampathkumar
8.K.Ragunath

... Petitioners

Vs.

1. The Chairman
All India Council for
Technical Education
7th floor,
Chander Lok Building
Janpath, New Delhi-110001
2.The Secretary to Government
Education, Science and Technology
Department (Higher Education)
Fort St.George
Chennai-600 009

3.The Registrar
Anna University
Guindy,
Chennai-600 025

4.The Director of Technical Education
Sardar Patel Road
Guindy, Chennai-600 025



5.The Principal
J.A. Institute of Engineering and Technology
42nd 2nd street
Srinivasanagar
Koyambedu,
Chennai-600 107

... Respondents

PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the fifth respondent college and its management to enforce the letter No.4212/SA30/2009 dated 11.11.2009 sent by Anna University direct the fifth respondent to return the tuition fees paid by the respective petitioners to the fifth respondent college towards their admission to the second year B.E course for the academic year 2009-2010 together with interest at the rate of 18% on the belated disbursement of their respective tuition fee with a short date.

For Petitioner : Mr.S. Sheirk Thanveer Ahamed for
Mr.K.Rajkumar
For Respondents : No Appearance

O R D E R

This writ petition is filed for refund of tuition fee and hostel fees paid by the petitioners for the academic year 2009-10 to the II year B.E course in the 5th respondent college.

2. Despite notice, none appears for the 5th respondent.

3. It is submitted that the petitioners joined the 5th respondent college in July 2009. But the college did not have infrastructure facilities, proper laboratories, library and basic amenities etc. The hostel was also closed and food was provided from near by hotels. While the condition was such CBI raided the college on 04.09.2009 and the Chairman of the college was arrested. Thereafter, on the directions of the R3-University the original certificates were returned to the students and some of them were given refund of tuition fee. However, for the petitioners an undertaking was made for refund of payment on 24.10.2009, but it ended in vain. On 29.10.2009, the 3rd respondent reminded the 5th respondent vide office Lr.No.2452/SA30/2009 to attend the grievances of the petitioners and refund the tuition fees at the earliest followed by a reminder dated 11.11.2009. Though the certificates were returned, the tuition fee was not returned.



+1 cc to M/s.K.Raj Kumar Advocate sr28838

+1 cc to the Special Government Pleader Advocate sr29387

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RSI (co)
aa31.05.2022