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W.P.No.1489 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.1489 of 2016

A.Arokiasamy

...Petitioner

Vs.

- 1.The Registrar,
Anna University,
Guindy, Chennai – 600 032.
- 2.The Director of Collegiate Education,
DPI, College Road,
Nungambakkam,
Chennai – 34.
- 3.The Commissioner of Technical Education,
O/o. The Commissioner of Technical Education,
Guindy, Chennai – 32.
- 4.The Sub Inspector of Police,
Thimmakkottai P.S.
Mannargudi – 614 901.
- 5.The ARJ College of Engg. And Technology,
Edayarnatham,
Mannargudi Taluk,
Thiruvarur District – 614 001.

Respondents



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Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 1st to 3rd respondents to take appropriate legal action based on the legal notice dated 11.6.2015 and 23.12.2015 against the 5th respondent to return the petitioner's original certificates.

For Petitioner : Mr.K.V.Ananthakrushnan

For Respondents : Mr.V.Meenakshi Sundaram for R1

Mr.C.Jayaprakash
Government Advocate for R2 & R3

Mr.S.Rajesh
Government Advocate for R4

Mr.M.Sriram for R5

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 to 3 to take appropriate legal action based on the legal notices dated 11.06.2015 and 23.12.2015 against the 5th respondent to return the petitioner's original certificate.

2.The petitioner states that he was working as a Principal in the 5th respondent College and resigned the post on 14.03.2013. The grievance of the writ



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petitioner is that the 5th respondent Management has not returned his original certificates pertaining to his educational qualification. The salary due to him was also not paid.

3. The learned counsel for the petitioner made a submission that several representations were made and a legal notices were also issued. However, there was no response from the 5th respondent and the petitioner submitted a complaint before the 1st respondent/The Registrar, Anna University, who also failed to initiate appropriate action. Thus, the present writ petition is filed.

4. The petitioner is unable to establish that the certificates were handed over by him to the 5th respondent Management. The learned counsel for the respondents states that the petitioner was holding the post of Principal during the relevant point of time and all those certificates on his resignation were returned and therefore, no further action is required. In the absence of any proof to establish that the certificates of the petitioner is under the custody of the 5th respondent, this Court cannot issue any direction and if at all any such direction is issued, the same will end in futile. Under these circumstances, the only course of action left to



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the petitioner is to apply for duplicate copies of the certificates from the competent authorities and this Court cannot issue any such direction as such sought for in the present writ petition.

5. Accordingly, this writ petition stands dismissed. No Costs.

23.11.2022

Index : Yes / No
Internet : Yes / No
Speaking order : Yes / No
ssr

To

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S.M.SUBRAMANIAM, J.

SSR

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