



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.31903 of 2019

P.Senthilkumar

... Petitioner

Vs.

1.The District Collector,
Tiruvarur District,
Tiruvarur.

2.The Principal,
District Institute of Education and Training
Mannargudi - 641 001.
Tiruvarur District.

3.The Principal,
Aruna Mazhai Teacher Training Institute,
Kumarapuram,
Melavasal (Post)
Mannargudi - 614 001.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to issue the D.T.Ed., Transfer Certificate, Mark Statements and + 2 Certificates of the petitioner's daughter namely S.Priyadharshini.

For Petitioner : Mr.Swami Subramanian

For Respondents : Mr.P.Gurunathan for R1

Additional Government Pleader
Mr.Stalin Abimanyu for R2
Additional Government Pleader
Mr.Kannan for R3



O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the third respondent to issue the D.T.Ed., Transfer Certificate, Mark Statements and + 2 Certificates of the petitioner's daughter namely, S.Priyadharshini.

2.The case of the petitioner is that the petitioner's daughter joined D.T.Ed. Course in the third respondent Institute and completed the same during the year 2008 and thereafter got married and went to her matrimonial house. The petitioner had paid two years educational fees and a sum of Rs.1 Lakh as donation and since the petitioner's daughter has not collected documents like Transfer Certificate, Mark Statements and + 2 Certificates from the third respondent, the petitioner approached the third respondent seeking issuance of the said documents, however, the third respondent demanded a further sum of Rs.1 Lakh.

3.The further case of the petitioner is that the petitioner made representation to the first respondent on 03.07.2019 seeking to direct the third respondent to issue the Certificates and the first respondent forwarded the same to the second respondent for necessary action and the second respondent conducted enquiry. The third respondent did not appear for enquiry. Thereafter, the second respondent communicated a letter dated 14.08.2019 enclosing the letter of the third respondent dated 02.08.2019, wherein, the third respondent had stated that the petitioner's daughter was recommended by the President of Melavasal Panchayat for admission and he came along with his persons and damaged the Institution property and also snatched the Correspondent's gold chain and that the petitioner's daughter had not approached the Institution seeking the said documents.

4.The further case of the petitioner is that the second respondent again conducted enquiry in which also the third respondent did not appear. Thereafter, the petitioner sent a representation to the Superintendent of Police, Tiruvarur and the Inspector of Police, Mannargudi Town Police Station on 19.08.2019 to take necessary action against the third respondent for issuance of the Certificates and the third respondent has given a letter dated 23.09.2019 stating that the petitioner has to pay a sum of Rs.1,99,000/- to the third respondent as fees due.



Aggrieved by the same, the petitioner has filed this writ petition.

5.The learned counsel appearing for the petitioner submitted that the petitioner has paid the entire fees and hence this Court may issue direction to the third respondent to issue the D.T.Ed., Transfer Certificate, Mark Statements and + 2 Certificates of the petitioner's daughter namely, S.Priyadharshini.

6.The third respondent appeared in person before this Court today (21.01.2022) and submitted that the petitioner's daughter joined the two years Course in respondent Institution and she was recommended by the President of Melavasal Panchayat for admission. At the time of admission, the petitioner's daughter paid a sum of Rs.50,000/- as initial fee. As per the Government norms, the petitioner's daughter has to pay a sum of Rs.1,35,000/- for the Course and instead of paying the balance fees, she engaged the President of Melavasal Panchayat and he came along with his persons and damaged the Institution property and also snatched the Correspondent's gold chain for which, criminal case is pending against him.

7.Original School record was placed before this Court for perusal, which reveals that the petitioner's daughter has paid a sum of Rs.50,000/- on 05.07.2006 , Rs.25,000/- on 07.12.2006 and Rs.25,000/- on 13.08.2007.

8.As per the Government norms, the petitioner's daughter has to pay a sum of Rs.1,35,000/- for the Course out of which, she has paid a sum of Rs.1 Lakh.

9.In view of the above, this Court directs the petitioner to pay a sum of Rs.35,000/- to the third respondent within a period of four weeks from the date of receipt of a copy of this order. On receipt of the same from the petitioner, the third respondent is directed to issue the D.T.Ed., Transfer Certificate, Mark Statements and + 2 Certificates of the petitioner's daughter namely, S.Priyadharshini, to the petitioner.



10.The learned counsel appearing for the petitioner submits that the petitioner is ready to pay a sum of Rs.35,000/- within the time frame fixed by this Court.

11.With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Digit)

// True Copy //

Sub Assistant Registrar

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To

1.The District Collector,
Tiruvarur District,
Tiruvarur.

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Tiruvarur District.

3.The Principal,
Aruna Mazhai Teacher Training Institute,
Kumarapuram,
Melavasal (Post)
Mannargudi - 614 001.

+1cc to Mr.Swami Subramanian, Advocate SR.No.4378

+1cc to the Government Pleader, SR.No.4265, 4026

W.P.No.31903 of 2019

KV(CO)

CB(18/02/2022)