



W.P.(MD).No.19829 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.19829 of 2013 and
M.P.(MD)No.1 of 2013

Kartheesan

... Petitioner

Vs.

- 1.Government of Tamil Nadu,
represented by its Secretary,
Higher Education (G1) Department,
Fort.St.George, Chennai.
- 2.The Director of Collegiate Education,
Chennai – 600 006.
- 3.The Registrar,
Tamil Nadu Teachers Education University,
Chepauk, Chennai – 600 005.
- 4.The Vice-Chancellor,
Tamil Nadu Teachers Education University,
Chepauk, Chennai – 600 005.
- 5.Deputy Director of Collegiate Education,
Thirunelveli Region,
Thirunelveli – 627 007.
- 6.The District Collector,
Tuticorin District, Tuticorin.



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7. R.M.P.C.S.P.S.K. Rajaratnam Memorial
College of Education,
represented by its Principal,
Sattankulam – 628 704,
Tuticorin District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of the seventh respondent in respect of the impugned order, dated 28.10.2013, cancelling of the petitioner's admission in the Course of B.Ed., degree course, to quash the same.

For Petitioner	: Mr.M.Saravanan
For R1, R2, R5 & R6	: Mr.V.Nirmal Kumar
	Government Advocate
For R3 and R4	: Mr.V.Venkatesan
For R7	: M/s.P.Jessi Jeeva Priya

ORDER

The present writ petition has been filed challenging the order passed by the seventh respondent College wherein the admission granted to the writ petitioner for B.Ed., Course was cancelled on 26.09.2013 on the ground that he is not eligible as per the modified regulations of the fourth respondent.



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2. The writ petition has been filed seeking readmission to the Course in the academic year 2013-2014. The question of readmitting the petitioner to the seventh respondent School after a period of nine years will not arise. The petitioner has to get admission in B.Ed., as per the rules and regulations prevailing on the date of his admission. Hence, the petitioner is at liberty to apply fresh, in case, if he is eligible as per the existing rules and regulations.

3. However, it is also contended on the side of the writ petitioner that they have paid a fees of Rs.5,000/- (Rupees Five Thousand only) on 26.08.2013, while he was admitted to the seventh respondent institution. The petitioner was removed from the College not due to any fault on his part but due to the modified regulations introduced by the fourth respondent University. I find that the petitioner is entitled to the refund of the fees paid on 26.08.2013.

4. In view of the above said observation, this Court directs the seventh respondent institution to refund the said fees of Rs.4,800/-



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(Rupees Four Thousand Eight Hundred only) to the writ petitioner within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above said observation, the writ petition is partly allowed. No costs. Consequently, connected miscellaneous petition is closed.

19.07.2022

Index : Yes / No
Internet : Yes / No

Tmg

To

1. Government of Tamil Nadu,
represented by its Secretary,
Higher Education (G1) Department,
Fort.St.George, Chennai.
2. The Director of Collegiate Education,
Chennai – 600 006.
3. Deputy Director of Collegiate Education,
Thirunelveli Region,
Thirunelveli – 627 007.
4. The District Collector,
Tuticorin District, Tuticorin.

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R.VIJAYAKUMAR ,J.

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Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

Order made in
W.P.(MD).No.19829 of 2013

19.07.2022