



W.P(MD)No.7525 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.7525 of 2019

K.Ramkumar

... Petitioner

Vs.

1.The Registrar,
Anna University,
Sardar Patel Road,
Guindy,
Chennai-600 025.

2.The Secretary,
Directorate of Technical Education,
No.53, Sardar Patel Road,
Guindy,
Chennai-600 025.

3.The Principal,
Mother Theresa College of Engineering and Technology,
Mettusalai, Iluppur 622102, Pattukkottai District.
(R3 cause title amended vide order dated 09.09.2020
in W.M.P.(MD)No.7694 of 2019)

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 3rd respondent to return the petitioner transfer certificate issued by the last studied school or issue a transfer certificate showing as discontinued the course of B.E (Mechanical Engineering) and other related original certificates such as 10th std and 12th std



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& Diploma (mechanical) Mark Sheets within a stipulated time prescribed by this Court.

For Petitioner : No appearance
For R1 : Mr.J.John Rajadurai
For R2 : Mr.M.Ramesh
Government Advocate
For R3 : no appearance

ORDER

None appears for the petitioner.

2. The third respondent is the contesting respondent. The third respondent has been served and his name is printed in the cause list. But there is no appearance on his behalf.

3. The petitioner had joined the third respondent college to undergo B.E Mechanical Engineering course. It appears that the petitioner could not continue the entire course on account of his inability to pay the fees. Be that as it may, when the petitioner wanted to discontinue the course, the college management refused to issue a transfer certificate. It also declined to part with the petition mentioned certificates which were deposited by the petitioner at the time of joining the course. That lead to filing of this writ petition.



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4. The writ petition was filed in the year 2019. We are in December 2022. It is not known as to what happened in the meanwhile. It is well settled that the management cannot retain the petition mentioned certificates because they are not marketable commodities. The third respondent is directed to return the petition mentioned certificates to the petitioner forthwith and without any delay.

5. The Writ Petition is allowed. No costs.

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Index : Yes / No
Internet : Yes/ No
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To

The Secretary,
Directorate of Technical Education,
No.53, Sardar Patel Road,
Guindy,
Chennai-600 025.



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G.R.SWAMINATHAN, J.

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