



W.P(MD)No.4863 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4863 of 2019

and

W.M.P.(MD)No.3873 of 2019

F.Muwaffica

... Petitioner

Vs.

1.The Southern Regional Director,
All India Council for Technical Education,
Shastri Bhavan, Haddows Road,
Nungambakkam,
Chennai.

2.The Principal Secretary to Government.
Higher Education,
Secretariat,
Chennai – 9.

3.The Director of Technical Education,
Guindy, Chennai.

4.The Registrar,
Sastha Deemed University,
Thanjavur – 613 401,
Thanjavur District.

... 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 4th respondent to refund the admission fees of Rs.63,000/- with admissible interest by



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considering the representation sent by the petitioner's father dated 18.11.2015 followed by the representation of the petitioner dated 14.12.2018.

For Petitioner : Ms.Jasima Yasmin

For Respondents : Mr.V.Om.Prakash,
Government Advocate for R2 & R3.
Mr.N.Dilip Kumar for R1.
Mr.K.K.Senthil for R4.

ORDER

Heard the learned counsel on either side.

2.The writ petitioner joined the fourth respondent college in the academic year 2015-2016 in B.Tech. Course. He discontinued the same and instead joined B.D.S. Course. The petitioner sought refund of the admission fee of Rs.63,000/- remitted by her. Since the petitioner's demand was not accepted by the university, this writ petition came to be filed.

3.The learned counsel for the fourth respondent submitted that the vacancy in the seat caused by the writ petitioner remained unfilled. If the seat had been filled by another candidate, then certainly the institution can be directed to refund the admission fee paid by the student who discontinued the



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course. That is clearly not the case here. Therefore, it is not possible for this

Court to grant relief. The writ petition stands dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

05.08.2022

Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The Principal Secretary to Government.
Higher Education,
Secretariat,
Chennai – 9.
- 2.The Director of Technical Education,
Guindy,
Chennai.



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G.R.SWAMINATHAN, J.

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