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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.13580 of 2021

Hemalatha

... Petitioner

V.

1.The Registrar, Anna University,
Chennai.

2.The District Collector, Madurai.

3.The Principal,
Latha Madhavan Engineering College,
Latha Madhavan Nagar,
Kidaripatti, Alagarkoil,
Melur Taluk, Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the third respondent to return all the petitioner's original certificate (transfer certificate, 10th and 12th std marksheets, community certificate) to the petitioner in the light of her representation dated 30.11.2020).

For Petitioner : Mr.R.Venkateswaran

For Respondents : Mr.J.John Rajadurai for R1

Mr.V.Om.Prakash, Government Advocate

for R2



Mr.S.A.Ganapathyram for Mr.Ramasamy
for R3

ORDER

Heard the learned counsel on either side.

2.The petitioner joined the third respondent college to pursue engineering course. According to the petitioner, she had to discontinue her course. The petitioner's original certificates are with the third respondent college. Seeking their return, this writ petition came to be filed. The third respondent has not returned the petitioner's certificates on the ground that the petitioner is having fee arrears. It has been held time and again that such certificates are not marketable commodities and that there cannot be any lien on them. The third respondent is directed to return the petition mentioned certificates to the petitioner forthwith and without any delay. The petitioner is directed to appear before the third respondent. The third respondent shall return the certificates and obtain acknowledgement from the petitioner. If the third respondent has any claim regarding fee arrears, it is for the college management to proceed in separate proceedings. They cannot withhold the certificates on that account.



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3.The writ petition is allowed. No costs.

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12.08.2022

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

- 1.The Registrar, Anna University, Chennai.
- 2.The District Collector, Madurai.

G.R.SWAMINATHAN, J.



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