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W.P. No.5716 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2023

CORAM: JUSTICE N.SESHASAYEE

W.P. No.5716 of 2023

Ram Merlim

... Petitioner

Vs.

- 1.The Director
Teacher Training Institute
DPI Campus
Nungambakkam, Chennai.
- 2.The Joint Director
Teacher Training Institute
Nungambakkam, Chennai
- 3.The Principal
Meston College of Education
10/33, West Cott Road
Royapettah, Chennai - 600 014

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for a writ of mandamus directing the respondents to consider the representation dated 02.01.2023 and thereby direct the respondents to return the petitioner's original certificates submitted before the third respondent.



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For Petitioner : Mr.R.Raghul
For Respondents : Mr.A.Anandan
Govt. Advocate for R1 & R2
Mr.P.N.George Graham for
M/s.Devadason & Sagar

ORDER

The petitioner's educational certificates are alleged to have been retained by the third respondent for non-payment of mess fees. There are certain disputes between the petitioner and the third respondent vis-a-vis payment of tuition fees and mess fees. So far as the petitioner is concerned, it relates to the third respondent providing a seat for the petitioner in anticipation of a scholarship routed to him, but that was not done. As on date, except the mess fees, all the fees have been paid. The learned counsel for the petitioner submits that he is ready to pay the mess fees.

2. This court makes it clear that the third respondent does not and cannot claim a lien over the educational certificates of the petitioner. Having said the petitioner is also liable to the third respondent to the extent it has obtained the services of the third respondent. After all, the petitioner ought to have known his obligations the day when he joined the third respondent college.



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3. Since the petitioner is now ready to make the payment towards mess fees, the third respondent is also required to part with the documents, this court does not want to pass any orders but the whole exercise is required to be completed within a period of two weeks to enable the petitioner to prosecute his studies.

4. The writ petition is disposed of accordingly. No costs.

19.07.2023

Asr

To

1.The Director
Teacher Training Institute
DPI Campus
Nungambakkam, Chennai.

2.The Joint Director
Teacher Training Institute
Nungambakkam, Chennai

3.The Government Pleader
High Court, Madras



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N.SESHASAYEE, J.,

Asr

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